

COURT OF COMMON PLEAS OF DAUPHIN COUNTY

DOCKET



Docket Number: CP-22-CR-0002707-2021

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Xavier Anthony Cruz

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CASE INFORMATION

Judge Assigned: Evans, Scott Arthur

Date Filed: 06/18/2021

Initiation Date: 05/20/2021

OTN: X 395244-3

LOTN:

Originating Docket No: MJ-12102-CR-0000146-2021

Initial Issuing Authority: Barbara Pianka

Final Issuing Authority: Barbara Pianka

Arresting Agency: Harrisburg Psp

Arresting Officer: Kurtz, Katelin L.

Complaint/Citation No.: H1018N9119

Incident Number:

County: Dauphin

Township: Harrisburg City

Case Local Number Type(s)

Case Local Number(s)

STATUS INFORMATION

Case Status:	Closed	Status Date	Processing Status	Complaint Date:	05/20/2021
		02/18/2022	Sentenced/Penalty Imposed		
		02/14/2022	Awaiting PSI		
		02/14/2022	Awaiting Sentencing		
		12/02/2021	Awaiting Plea Court		
		12/02/2021	Awaiting Sentencing		
		09/08/2021	Awaiting Plea Court		
		08/04/2021	Awaiting Pre-Trial Conference		
		06/23/2021	Awaiting Plea Court		
		06/21/2021	Awaiting Formal Arraignment		
		06/18/2021	Awaiting Plea Court		
		06/18/2021	Awaiting Filing of Information		

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	08/06/2021	10:00 am		President Judge Scott Arthur Evans	Cancelled
Plea Court	09/02/2021	9:30 am	Courtroom 2	President Judge Scott Arthur Evans	Moved
Plea Court	10/14/2021	9:30 am	Courtroom 2	President Judge Scott Arthur Evans	Continued
Plea Court	12/02/2021	9:30 am	Courtroom 2	President Judge Scott Arthur Evans	Continued
Plea Court	02/14/2022	10:30 am	Courtroom 2	President Judge Scott Arthur Evans	Scheduled
Probation Review Conference	01/22/2026	11:00 am	Courtroom 1	Judge Katherine E. McShane	Scheduled

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DEFENDANT INFORMATION

Date Of Birth: 11/17/2001 City/State/Zip: Harrisburg, PA 17110

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Cruz, Xavier Anthony

BAIL INFORMATION

Cruz, Xavier Anthony	Nebbia Status: None
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<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	05/20/2021	Unsecured	Magisterial District Court		\$50,000.00

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	75 § 3732 §§ A	Homicide By Vehicle	10/02/2020	X 395244-3
2	2	F3	75 § 3732 §§ A	Homicide By Vehicle	10/02/2020	X 395244-3
3	3	S	75 § 3309 §§ 1	Disregard Traffic Lane (Single)	10/02/2020	X 395244-3
4	4	S	75 § 3361	Driving at Safe Speed	10/02/2020	X 395244-3
5	5	S	75 § 3362 §§ A2-54	Exceed 55 MPH In Other By 54 MPH	10/02/2020	X 395244-3
6	6	S	75 § 3714 §§ B	Careless Driving - Unintentional Death	10/02/2020	X 395244-3
7	7	S	75 § 3736 §§ A	Reckless Driving	10/02/2020	X 395244-3

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>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Section</u>
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Credit For Time Served</u>
<u>Sentence Conditions</u>		<u>Start Date</u>

Waived for Court (Lower Court)

Defendant Was Present

Lower Court Disposition	06/16/2021	Not Final
1 / Homicide By Vehicle	Waived for Court (Lower Court)	F3
2 / Homicide By Vehicle	Waived for Court (Lower Court)	F3
3 / Disregard Traffic Lane (Single)	Waived for Court (Lower Court)	S
4 / Driving at Safe Speed	Waived for Court (Lower Court)	S
5 / Exceed 55 MPH In Other By 54 MPH	Waived for Court (Lower Court)	S
6 / Careless Driving - Unintentional Death	Waived for Court (Lower Court)	S
7 / Reckless Driving	Waived for Court (Lower Court)	S

Proceed to Court (Arraignment Waived)

Defendant Was Not Present

Information Filed	08/04/2021	Not Final
1 / Homicide By Vehicle	Proceed to Court	F3

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade

Section

Credit For Time Served

Start Date

2 / Homicide By Vehicle

Proceed to Court

F3 75 § 3732 §§ A

3 / Disregard Traffic Lane (Single)

Proceed to Court

S 75 § 3309 §§ 1

4 / Driving at Safe Speed

Proceed to Court

S 75 § 3361

5 / Exceed 55 MPH In Other By 54 MPH

Proceed to Court

S 75 § 3362 §§ A2-54

6 / Careless Driving - Unintentional Death

Proceed to Court

S 75 § 3714 §§ B

7 / Reckless Driving

Proceed to Court

S 75 § 3736 §§ A

Guilty Plea

Plea Court

12/02/2021

Final Disposition

1 / Homicide By Vehicle

Guilty Plea

F3 75 § 3732 §§ A

Evans, Scott Arthur

02/18/2022

02/14/2022

Confinement

Min of 6.00 Months

Max of 23.00 Months

Other

2 / Homicide By Vehicle

Guilty Plea

F3 75 § 3732 §§ A

Evans, Scott Arthur

02/18/2022

02/14/2022

Probation

Min of 60.00 Months

Max of 60.00 Months

Other

3 / Disregard Traffic Lane (Single)

Guilty Plea

S 75 § 3309 §§ 1

Evans, Scott Arthur

02/18/2022

No Further Penalty

4 / Driving at Safe Speed

Guilty Plea

S 75 § 3361

Evans, Scott Arthur

02/18/2022

No Further Penalty

5 / Exceed 55 MPH In Other By 54 MPH

Guilty Plea

S 75 § 3362 §§ A2-54

Evans, Scott Arthur

02/18/2022

No Further Penalty

6 / Careless Driving - Unintentional Death

Guilty Plea

S 75 § 3714 §§ B

Evans, Scott Arthur

02/18/2022

No Further Penalty

7 / Reckless Driving

Guilty Plea

S 75 § 3736 §§ A

Evans, Scott Arthur

02/18/2022

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

No Further Penalty

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

LINKED SENTENCES:

Link 1

CP-22-CR-0002707-2021 - Seq. No. 2 (75 § 3732 §§ A) - Probation is Concurrent with

CP-22-CR-0002707-2021 - Seq. No. 1 (75 § 3732 §§ A) - Confinement

COMMONWEALTH INFORMATION

Name: Michael Alan Sprow
District Attorney

Supreme Court No.: 088573

Address:

Name: Dauphin County District Attorney's
Office
Prosecutor

Supreme Court No.:

Phone Number(s):
717-780-6767 (Phone)

Address:

101 Market Street
Harrisburg, PA 17101

Phone Number(s):
717-780-6767 (Phone)

Address:

Front & Market
Dauphin County Court House
Harrisburg, PA 17101

ATTORNEY INFORMATION

Name: David Matthew Hoover
Private

Supreme Court No.: 205937

Rep. Status: Active

Phone Number(s):
717-652-2252 (Phone)

Address:
4400 Linglestown Rd Ste 203
Harrisburg, PA 17112-8534

Representing: Cruz, Xavier Anthony

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	05/20/2021		Pianka, Barbara

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1	06/18/2021		Court of Common Pleas - Dauphin County
Original Papers Received from Lower Court			
2	06/18/2021		Hoover, David Matthew
Waiver of Appearance at Arraignment Dauphin County District Attorney's Office			
06/23/2021	eService		Served
3	06/18/2021		Court of Common Pleas - Dauphin County
Booking Center Fee (Dauphin)			
1	08/04/2021		Chardo, Francis T.
Information Filed (Arraignment Waived) Dauphin County District Attorney's Office			
08/04/2021	eService		Served
Hoover, David Matthew			
08/04/2021	eService		Served
2	08/04/2021		District Attorney
DA Information Filed			
1	10/12/2021		Hoover, David Matthew
Motion for Continuance Sprow, Michael Alan			
10/12/2021	eNotice		Notified
1	10/13/2021	10/13/2021	Evans, Scott Arthur
Order Granting Motion for Continuance and Waiver of Pa.R.Crim.P. 600/1013			
Hoover, David Matthew			
10/13/2021	eService		Served
Sprow, Michael Alan			
10/13/2021	eService		Served
1	10/14/2021		Dauphin County Court Administration
Plea Court Continued - Defendant Not Ready - Defense Attorney			
Hoover, David Matthew			
10/14/2021	eService		Served
Sprow, Michael Alan			

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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>
10/14/2021	eService		Served
2	12/02/2021		Evans, Scott Arthur
Guilty Plea			
Hoover, David Matthew			
02/18/2022	eService		Served
Sprow, Michael Alan			
02/18/2022	eService		Served
3	12/02/2021		Attorney
Written Guilty Plea Colloquy			
Hoover, David Matthew			
12/03/2021	eService		Served
Sprow, Michael Alan			
12/03/2021	eService		Served
4	12/02/2021		Court of Common Pleas - Dauphin County
Plea Court Continued - Other			
Hoover, David Matthew			
12/02/2021	eService		Served
Sprow, Michael Alan			
12/02/2021	eService		Served
1	12/06/2021		Evans, Scott Arthur
Plea Court Held-Sentence Deferred 2/14/21 10:30AM			
Hoover, David Matthew			
12/06/2021	eService		Served
Sprow, Michael Alan			
12/06/2021	eService		Served
1	02/18/2022		Evans, Scott Arthur
Order - Sentence/Penalty Imposed			
2	02/18/2022		Court of Common Pleas - Dauphin County
Court Commitment State or County Correctional Institution			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
3	02/18/2022		Sites, Patti Ann
	DL-21 to be Prepared		
4	02/18/2022		Sites, Patti Ann
	DL-21 was prepared		
5	02/18/2022		Court of Common Pleas - Dauphin County
	Penalty Assessed		
1	02/21/2022		Unknown Filer
	DL-21 Sent to PennDOT		
1	03/29/2022		Court of Common Pleas - Dauphin County
	Entry of Civil Judgment		
Hoover, David Matthew			
03/29/2022	eService		Served
Sprow, Michael Alan			
03/29/2022	eService		Served
1	06/22/2022		Walk, Bryan S.
	Entry Of Appearance - Bryan S. Walk, Esq.		
Hoover, David Matthew			
06/22/2022	eService		Served
Sprow, Michael Alan			
06/22/2022	eService		Served
2	06/22/2022		Walk, Bryan S.
	Petition for Parole from Dauphin County Prison		
1	06/28/2022		Evans, Scott Arthur
	Order Denying Petition for Parole from Dauphin County Prison		
Hoover, David Matthew			
06/28/2022	eService		Served
Sprow, Michael Alan			
06/28/2022	eService		Served
Walk, Bryan S.			
06/28/2022	eService		Served

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/22/2022		Cruz, Xavier Anthony
	Petition for Parole		
1	07/25/2022		Dauphin County District Attorney's Office
	District Attorney's Response to Parole Application		
	Hoover, David Matthew		
	07/25/2022	eService	Served
	Sprow, Michael Alan		
	07/25/2022	eService	Served
	Walk, Bryan S.		
	07/25/2022	eService	Served
1	08/31/2022		Evans, Scott Arthur
	Order of Court		
1	01/07/2025		Sites, Patti Ann
	DL-21CF to be Prepared		
2	01/07/2025		Sites, Patti Ann
	Certification Sent to State		
	Hoover, David Matthew		
	01/07/2025	eService	Served
	Sprow, Michael Alan		
	01/07/2025	eService	Served
	Walk, Bryan S.		
	01/07/2025	eService	Served
3	01/07/2025		Sites, Patti Ann
	DL-21CF was prepared		
1	01/08/2025		Unknown Filer
	DL-21CF Sent to PennDOT		
1	01/22/2026		McShane, Katherine E.
	Probation Review Hearing Held 1.22.26		

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PAYMENT PLAN SUMMARY

<u>Payment Plan No</u>	<u>Payment Plan Freq.</u>	<u>Next Due Date</u>	<u>Active</u>	<u>Overdue Amt</u>	
<u>Responsible Participant</u>			<u>Suspended</u>	<u>Next Due Amt</u>	
22-2023-P000001021	Monthly	02/01/2024	Yes	\$1,230.00	
Cruz, Xavier Anthony			No	\$30.00	
Payment Plan History:	<u>Receipt Date</u>	<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>	
	11/16/2022	Payment	Cruz, Xavier Anthony	Defendant	\$80.00
	02/27/2023	Payment	Cruz, Xavier Anthony	Defendant	\$23.00
	03/30/2023	Payment	Cruz, Xavier Anthony	Defendant	\$20.00
	07/11/2023	Payment	Cruz, Xavier Anthony	Defendant	\$90.00
	12/13/2023	Payment	Cruz, Xavier Anthony	Defendant	\$60.00
	08/07/2024	Payment	Cruz, Xavier Anthony	Defendant	\$40.00
	02/05/2025	Payment	Cruz, Xavier Anthony	Defendant	\$100.00
	04/03/2025	Payment	Cruz, Xavier Anthony	Defendant	\$80.00

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CASE FINANCIAL INFORMATION

Last Payment Date: 04/03/2025

Total of Last Payment: -\$80.00

Cruz, Xavier Anthony Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Costs/Fees					
ATJ	\$6.00	\$0.00	\$0.00	\$0.00	\$6.00
Automation Fee (Dauphin)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Booking Center Fee (Dauphin)	\$300.00	\$0.00	\$0.00	\$0.00	\$300.00
CAT/MCARE/General Fund	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00
CJES	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50
Clerk of Court Costs (Dauphin)	\$180.00	\$0.00	\$0.00	\$0.00	\$180.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$22.40	\$0.00	\$0.00	\$0.00	\$22.40
County Court Cost (Act 204 of 1976)	\$32.70	\$0.00	\$0.00	\$0.00	\$32.70
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
District Attorney Costs (Dauphin)	\$18.00	\$0.00	\$0.00	\$0.00	\$18.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
OAG - JCP	\$2.50	\$0.00	\$0.00	\$0.00	\$2.50
State Court Costs (Act 204 of 1976)	\$14.90	\$0.00	\$0.00	\$0.00	\$14.90
Variable Amount to be Distributed CVC/VWS (Act 96)	\$28.00	(\$28.00)	\$0.00	\$0.00	\$0.00
Variable Amount to be Distributed CVC/VWS (Act 96)	\$12.00	(\$12.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Record Maintenance Fee (Dauphin)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
Prison Commitments (Dauphin)	\$15.00	\$0.00	\$0.00	\$0.00	\$15.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
CAT/MCARE/General Fund	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
PA Transportation Trust Surcharge	\$75.00	\$0.00	\$0.00	\$0.00	\$75.00

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Cruz, Xavier Anthony Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
CAT/MCARE/General Fund	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
CAT/MCARE/General Fund	\$45.00	\$0.00	\$0.00	\$0.00	\$45.00
Emergency Medical Services (Act 45 of 1985)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Post Trial Motion, etc. (Dauphin)	\$22.00	(\$22.00)	\$0.00	\$0.00	\$0.00
OSP (Dauphin/State) (Act 35 of 1991)	\$1,325.00	\$0.00	(\$350.00)	\$0.00	\$975.00
OSP (Dauphin/State) (Act 35 of 1991)	\$1,325.00	\$0.00	(\$350.00)	\$0.00	\$975.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Costs/Fees Totals:	\$4,037.25	(\$122.00)	(\$700.00)	\$0.00	\$3,215.25
Fines					
Title 75, Motor Vehicle (Motor License Fund)	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Title 75, Motor Vehicle (Motor License Fund)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Title 75, Motor Vehicle (Motor License Fund)	\$133.00	\$0.00	\$0.00	\$0.00	\$133.00
Title 75, Motor Vehicle (Motor License Fund)	\$500.00	\$0.00	\$0.00	\$0.00	\$500.00
Title 75, Motor Vehicle (Motor License Fund)	\$200.00	\$0.00	\$0.00	\$0.00	\$200.00
Fines Totals:	\$1,858.00	\$0.00	\$0.00	\$0.00	\$1,858.00
Restitution					
CVC Board Restitution (Act 145 of 2018)	\$4,000.00	(\$196.50)	\$0.00	\$0.00	\$3,803.50
CVC Board Restitution (Act 145 of 2018)	\$4,000.00	(\$196.50)	\$0.00	\$0.00	\$3,803.50
Restitution Totals:	\$8,000.00	(\$393.00)	\$0.00	\$0.00	\$7,607.00
Grand Totals:	\$13,895.25	(\$515.00)	(\$700.00)	\$0.00	\$12,680.25

** - Indicates assessment is subrogated