#### **DOCKET**



Plea Court

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

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Xavier Anthony Cruz

**CASE INFORMATION** 

<u>Judge Assigned:</u> Evans, Scott Arthur <u>Date Filed:</u> 06/18/2021 <u>Initiation Date:</u> 05/20/2021

<u>OTN:</u> X 395244-3 <u>LOTN:</u> <u>Originating Docket No:</u> MJ-12102-CR-0000146-2021

<u>Initial Issuing Authority:</u> Barbara Pianka

Arresting Agency: Harrisburg Psp

Final Issuing Authority: Barbara Pianka

Arresting Officer: Kurtz, Katelin L.

rresting Agency: Harrisburg Psp Arresting Officer: Kurtz, Katelin L.

Complaint/Citation No.: H1018N9119 Incident Number:

County:DauphinTownship:Harrisburg CityCase Local Number Type(s)Case Local Number(s)

			STATUS INFORI	MATION					
Case Status: Clos	sed	Status Date	Processing Sta	<u>tus</u>	Complaint Date:	05/20/2021			
		02/18/2022	Sentenced/Pen	alty Imposed					
		02/14/2022	Awaiting PSI						
		02/14/2022	Awaiting Senter	ncing					
		12/02/2021	Awaiting Plea C	Court					
		12/02/2021	Awaiting Senter	ncing					
		09/08/2021	Awaiting Plea C	Court					
		08/04/2021	Awaiting Pre-Tr	ial Conference					
		06/23/2021	Awaiting Plea C	Court					
		06/21/2021	Awaiting Forma	Awaiting Formal Arraignment					
		06/18/2021	Court						
		06/18/2021	Awaiting Filing	of Information					
			CALENDAR E	VENTS					
Case Calendar	<u>Schedule</u>	<u>Start</u>	Room	<u>Judge Name</u>	<u>Sched</u> ı	<u>ıle</u>			
Event Type	Start Date	<u>Time</u>			<u>Status</u>				
Formal Arraignmer	ot 08/06/2021	10:00 am		President Judge Scott Arthu Evans	r Cancel	led			
Plea Court	09/02/2021	9:30 am	Courtroom 2	President Judge Scott Arthu Evans	ır Moved				
Plea Court	10/14/2021	9:30 am	Courtroom 2	President Judge Scott Arthu Evans	r Contin	ued			

				Evans	
Plea Court	02/14/2022	10:30 am	Courtroom 2	President Judge Scott Arthur	Scheduled
				Evans	

Courtroom 2

**DEFENDANT INFORMATION** 

President Judge Scott Arthur

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

9:30 am

12/02/2021

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Xavier Anthony Cruz

CASE PARTICIPANTS

Participant Type Name

Defendant Cruz, Xavier Anthony

DAII	INIEO	RMAT	ION
DAIL	INFU	ואואי	

Cruz, Xavi	Cruz, Xavier Anthony Nebbia Status: None						
Bail Actio	<u>on</u>	<u>Date</u>		Bail Type	Originating Court	<u>Percentage</u>	<u>Amount</u>
Set		05/20	0/2021	Unsecured	Magisterial District Court		\$50,000.00
				CHARG	ES		
Seq.	Orig Seq.	<u>Grade</u>	<u>Statute</u>	Statute Desc	<u>ription</u>	Offense Dt.	<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 Tra	affic Lane (Single)	10/02/2020	X 395244-3
4	4	S	75 § 3361	Driving at Sa	fe Speed	10/02/2020	X 395244-3
5	5	S	75 § 3362 §§ A2-54	Exceed 55 M	PH In Other By 54 MPH	10/02/2020	X 395244-3
6	6	S	75 § 3714 §§ B	Careless Driv	ving - Unintentional Death	10/02/2020	X 395244-3
7	7	S	75 § 3736 §§ A	Reckless Dri	ving	10/02/2020	X 395244-3

#### **DISPOSITION SENTENCING/PENALTIES**

Disposition

Case Event Disposition Date Final Disposition Sequence/Description Offense Disposition <u>Grade</u> Section Sentencing Judge Sentence Date Credit For Time Served

Sentence/Diversion Program Type Incarceration/Diversionary Period Start Date

Sentence Conditions			
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	75 § 3732 §§ A
2 / Homicide By Vehicle	Waived for Court (Lower	Court) F3	75 § 3732 §§ A
3 / Disregard Traffic Lane (Single)	Waived for Court (Lower	Court) S	75 § 3309 §§ 1
4 / Driving at Safe Speed	Waived for Court (Lower	Court) S	75 § 3361
5 / Exceed 55 MPH In Other By 54 MPH	H Waived for Court (Lower	Court) S	75 § 3362 §§ A2-54
6 / Careless Driving - Unintentional Dea	th Waived for Court (Lower	Court) S	75 § 3714 §§ B
7 / Reckless Driving	Waived for Court (Lower	Court) S	75 § 3736 §§ A
Proceed to Court (Arraignment Waived)	Defendant Was Not Present		
Information Filed	08/04/2021	Not Final	
1 / Homicide By Vehicle	Proceed to Court	F3	75 § 3732 §§ A
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

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5 / Exceed 55 MPH In Other By 54 MPH

6 / Careless Driving - Unintentional Death

Evans, Scott Arthur

Evans. Scott Arthur

Evans, Scott Arthur

7 / Reckless Driving

No Further Penalty

No Further Penalty

No Further Penalty

Disposition
Case Event

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

Final Disposition

S

S

S

75 § 3362 §§ A2-54

75 § 3714 §§ B

75 § 3736 §§ A

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# Xavier Anthony Cruz DISPOSITION SENTENCING/PENALTIES

**Disposition Date** 

#### Offense Disposition Sequence/Description **Grade** Section Sentencing Judge Sentence Date Credit For Time Served Sentence/Diversion Program Type Incarceration/Diversionary Period Start Date Sentence Conditions Proceed to Court 5 / Exceed 55 MPH In Other By 54 MPH 75 § 3362 §§ A2-54 Proceed to Court S 6 / Careless Driving - Unintentional Death 75 § 3714 §§ B Proceed to Court S 7 / Reckless Driving 75 § 3736 §§ A **Guilty Plea** 12/02/2021 Final Disposition Plea Court **Guilty Plea** F3 1 / Homicide By Vehicle 75 § 3732 §§ A Evans. Scott Arthur 02/18/2022 Confinement Min of 6.00 Months 02/14/2022 Max of 23.00 Months Other **Guilty Plea** F3 2 / Homicide By Vehicle 75 § 3732 §§ A Evans, Scott Arthur 02/18/2022 02/14/2022 Probation Min of 60.00 Months Max of 60.00 Months Other Guilty Plea S 3 / Disregard Traffic Lane (Single) 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

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Guilty Plea

Guilty Plea

**Guilty Plea** 

02/18/2022

02/18/2022

02/18/2022

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#### 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** 

ATTORNEY INFORMATION

Name:

Michael Alan Sprow

**District Attorney** 

**David Matthew Hoover** Name:

Private

Supreme Court No:

Supreme Court No:

205937

088573

Active

Address:

Rep. Status:

(Phone)

Phone Number(s):

717-652-2252

Dauphin County District Attorney's Name:

Address:

4400 Linglestown Rd Ste 203

Office

Prosecutor

Harrisburg, PA 17112-8534

Supreme Court No: Phone Number(s):

717-780-6767

(Phone)

Representing: Cruz, Xavier Anthony

101 Market Street

Harrisburg, PA 17101

Phone Number(s):

717-780-6767 (Phone)

Address:

2

Front & Market

**Dauphin County Court House** 

Harrisburg, PA 17101

**ENTRIES** 

**Document Date** 

Sequence Number **CP Filed Date**  Filed By

05/20/2021

Pianka, Barbara

Bail Set - Cruz, Xavier Anthony

06/18/2021

Court of Common Pleas - Dauphin

County

Original Papers Received from Lower Court

06/18/2021

Hoover, David Matthew

Waiver of Appearance at Arraignment Dauphin County District Attorney's Office

06/23/2021 eService

Served

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		ENTRIES		
Sequence Number	CP Filed Date	<u>Document Date</u>	<u>Filed By</u>	
3	06/18/2021		Court of Common Pleas - Dauphin County	
Booking Center Fee ([	Dauphin) — — — — — — —			
1	08/04/2021		Chardo, Francis T.	
Information Filed (Arra				
Dauphin County District	-		0 1	
08/04/2021	eService		Served	
Hoover, David Matthew	o Sonvico		Sanuad	
08/04/2021 ———————————————————————————————————	eService — — — — — —		Served —— —— —— —— —— —— —— —— ——	
2	08/04/2021		District Attorney	
DA Information Filed				
1	10/12/2021		Hoover, David Matthew	
Motion for Continuanc	e			
Sprow, Michael Alan				
10/12/2021	eNotice		Notified	
		10/13/2021		
Order Granting Motion	n for Continuance and Waiver		•	
Hoover, David Matthew				
10/13/2021	eService		Served	
Sprow, Michael Alan				
10/13/2021	eService		Served	
1			Dauphin County Court Administratio	— — – n
Plea Court Continued	- Defendant Not Ready - Def	ense Attorney		
Hoover, David Matthew				
10/14/2021	eService		Served	
Sprow, Michael Alan				
10/14/2021	eService		Served	
			Evans, Scott Arthur	
Guilty Plea				
Hoover, David Matthew				
02/18/2022	eService		Served	
Sprow, Michael Alan				
			Served	

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	ENTRIES ENTRIES							
Sequence Number	CP Filed Date	<u>Document Date</u>	Filed By					
Service To		Service By						
<u>Issue Date</u>	Service Type	Status Date	Service Status					
3	12/02/2021		Attorney					
Written Guilty Plea Collog	quy							
Hoover, David Matthew			_					
12/03/2021	eService		Served					
Sprow, Michael Alan	•		0 1					
12/03/2021 	eService		Served					
4	12/02/2021		Court of Common Pleas - Dauphin County					
Plea Court Continued - O	ther		County					
Hoover, David Matthew								
12/02/2021	eService		Served					
Sprow, Michael Alan								
12/02/2021	eService		Served					
1 — — — — — — 1	12/06/2021		Evans, Scott Arthur					
Plea Court Held-Sentence	e 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					
Court Commitment State	or County Correctiona	al Institution	County					
3	02/18/2022							
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					
Penalty Assessed			County					

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		Xavier Anthony Cr	uz	
Sequence Number	CP Filed Date	ENTRIES <u>Document Date</u>		Filed By
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	a Canvian		Comind	
03/29/2022	eService		Served	
Sprow, Michael Alan	e Service		Served	
03/29/2022	eService 			
1	06/22/2022			Walk, Bryan S.
Entry Of Appearance - Br	yan 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 D	auphin County Prison			
1	 06/28/2022		- — — — -	Evans, Scott Arthur
Order Denying Petition for		ounty 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	
1				Cruz, Xavier Anthony
Petition for Parole	· · · <del>-</del>			, , , , , , , , , , , , , , , , , , ,
1			- — — -	Dauphin County District Attorney's
	· · · · <del>-</del>			Office
District Attorney's Respon	se to Parole Application			
Hoover, David Matthew 07/25/2022	eService		Served	

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01/08/2025

DL-21CF Sent to PennDOT

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Unknown Filer

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**ENTRIES** Sequence Number **CP Filed Date Document Date** Filed By Service To Service By Issue Date Service Type Status Date Service Status 07/25/2022 eService Served Walk, Bryan S. Served 07/25/2022 eService 08/31/2022 Evans, Scott Arthur Order of Court 01/07/2025 Sites, Patti Ann DL-21CF to be Prepared 01/07/2025 Sites, Patti Ann Certification Sent to State Hoover, David Matthew Served eService 01/07/2025 Sprow, Michael Alan 01/07/2025 eService Served Walk, Bryan S. Served 01/07/2025 eService 01/07/2025 Sites, Patti Ann DL-21CF was prepared

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# Xavier Anthony Cruz

			<b>PAYMENT</b>	PLAN SUMMARY			
Payment Plan No	<u>Payme</u>	<u>nt Plan Freq.</u>		Next Due Date	<u>Active</u>		Overdue Amt
Responsible Participant					Suspended		Next Due Amt
22-2023-P000001021	Monthly	y		02/01/2024	Yes		\$1,130.00
Cruz, Xavier Anthony					No		\$30.00
Payment Plan I	History:	Receipt Date		Payor Name		Participant Role	<u>Amount</u>
		11/16/2022	Payment	Cruz, Xavier Ant	hony	Defendant	\$80.00
		02/27/2023	Payment	Cruz, Xavier Ant	hony	Defendant	\$23.00
		03/30/2023	Payment	Cruz, Xavier Ant	hony	Defendant	\$20.00
		07/11/2023	Payment	Cruz, Xavier Ant	hony	Defendant	\$90.00
		12/13/2023	Payment	Cruz, Xavier Ant	hony	Defendant	\$60.00
		08/07/2024	Payment	Cruz, Xavier Ant	hony	Defendant	\$40.00
		02/05/2025	Payment	Cruz, Xavier Ant	hony	Defendant	\$100.00
		04/03/2025	Payment	Cruz, Xavier Ant	hony	Defendant	\$80.00

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# CASE FINANCIAL INFORMATION

Last Payment Date: 04/03/2025			Tota	al of Last Payment: -	\$80.00
Cruz, Xavier Anthony Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<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>	Non Monetary Payments	<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	\$0.00	\$0.00	\$1,325.00
OSP (Dauphin/State) (Act 35 of 1991)	\$1,325.00	\$0.00	\$0.00	\$0.00	\$1,325.00
Certification Fee (Dauphin)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
Costs/Fees Totals:	\$4,037.25	(\$122.00)	\$0.00	\$0.00	\$3,915.25
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)	\$0.00	\$0.00	\$13,380.25
** - Indicates assessment is subrogated					

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