DOCKET



Docket Number: CP-36-CR-0000169-2015

Initiation Date: 11/19/2014

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Patrick Eugene Fatta

CASE INFORMATION

Cross Court Docket Nos: 2026 MDA 2015

Judge Assigned:

OTN: T 591039-1 Originating Docket No: MJ-02103-CR-0000333-2014 LOTN:

Initial Issuing Authority: Robert A. Herman Jr. Final Issuing Authority: Robert A. Herman Jr.

Arresting Agency: West Hempfield Twp Police Dept

Arresting Officer: Ober, Douglas L.

Date Filed: 01/14/2015

Complaint/Citation No.: 2014WH02169 Incident Number:

Township: W Hempfield Township County: Lancaster

Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION						
Case Status:	Closed	Status Date	Processing Status	Arrest Date:	11/19/2014	
		12/20/2016	Sentenced/Penalty Imposed			
		11/22/2016	Awaiting PSI Completion			
		11/14/2016	Completed			
		11/13/2015	Awaiting Appellate Court Decision			
		10/16/2015	Sentenced/Penalty Imposed			
		10/16/2015	Awaiting PSI			
		07/08/2015	Awaiting PSI Completion			
		07/08/2015	Awaiting Sentencing			
		06/03/2015	Awaiting Plea Court			
		01/30/2015	Awaiting Pre-Trial Conference			
		01/14/2015	Awaiting Formal Arraignment			
		01/14/2015	Awaiting Filing of Information			

Complaint Date: 11/19/2014

CALENDAR EVENTS						
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 Arraignment	02/13/2015	9:00 am	Courtroom A		Cancelled	
Status Conference	03/30/2015	9:30 am	Courtroom 10	Judge Donald R. Totaro	Continued	
Status Conference	05/04/2015	9:30 am	Courtroom 10	Judge Donald R. Totaro	Cancelled	
Criminal Pre-Trial Conference	05/04/2015	9:30 am	Courtroom 10	Judge Donald R. Totaro	Continued	
Criminal Pre-Trial Conference	06/01/2015	1:30 pm	Courtroom 3	Senior Judge Howard F. Knisely	Cancelled	
Guilty Plea	07/08/2015	1:30 pm	Courtroom 2	Judge Joseph C. Madenspacher	Scheduled	
Resentencing	12/20/2016	10:30 am	Jury Room #7	Judge Joseph C. Madenspacher	Scheduled	

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Nebbia Status: None

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OCITI IITEINEITI IITI OITIIATIOIT	CON	IFINEMENT	INFORMATION
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Confinement Confinement Confinement Still in Destination Known As Of Type Location Reason Custody 12/06/2021 County Correctional Facility **Dauphin County Prison** Yes 02/10/2023 State Correctional Institution SCI Coal Township Yes

DEFENDANT INFORMATION

<u>Date Of Birth:</u> 07/26/1972 <u>City/State/Zip:</u>

CASE PARTICIPANTS

Participant Type Name

Defendant Fatta, Patrick Eugene

BAIL INFORMATION

Bail Action Set	<u>1</u>	<u>Date</u> 11/19)/2014	<u>Bail Type</u> Unsecured	Originating Court Magisterial District Court	<u>Percentage</u>	<u>Amount</u> \$10,000.00
				CHARGES	3		
Seq.	Orig Seq.	<u>Grade</u>	<u>Statute</u>	Statute Descrip	<u>tion</u>	Offense Dt.	<u>OTN</u>
1	1	F3	18 § 6312 §§ D	Child Pornograp	phy	11/19/2014	T 591039-1
2	2	F3	18 § 6312 §§ D	Child Pornogra	phy	11/19/2014	T 591039-1
3	3	F3	18 § 7512 §§ A	Criminal Use O	f Communication Facility	11/19/2014	T 591039-1
4	4	F2	18 § 6312 §§ D	Child Pornogra	phy	11/19/2014	T 591039-1

DISPOSITION SENTENCING/PENALTIES

Disposition

Fatta, Patrick Eugene

Case EventDisposition DateFinal DispositionSequence/DescriptionOffense DispositionGradeSection

<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>

Sentence Conditions

Waived for Court (Lower Court) Defend	dant Was Present
---------------------------------------	------------------

Lower Court Disposition	01/07/2015	Not Final	
1 / Child Pornography	Waived for Court (Lower Court)	F3	18 § 6312 §§ D
2 / Child Pornography	Waived for Court (Lower Court)	F3	18 § 6312 §§ D
3 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3	18 § 7512 §§ A
4 / Child Pornography	Waived for Court (Lower Court)	F2	18 § 6312 §§ D

Proceed to Court (Arraignment Waived) Defendant Was Not Present

Information Filed	02/03/2015	Not Final	
1 / Child Pornography	Held for Court	F3	18 § 6312 §§ D
2 / Child Pornography	Held for Court	F3	18 § 6312 §§ D

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case EventDisposition DateFinal DispositionSequence/DescriptionOffense DispositionGradeSection

<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>

Sentence Conditions

3 / Criminal Use Of Communication Facility Held for Court F3 18 § 7512 §§ A 4 / Child Pornography Held for Court F2 18 § 6312 §§ D

Guilty Plea - Non-Negotiated

Guilty Plea 07/08/2015 Final Disposition

1 / Child Pornography Guilty Plea - Non-Negotiated F3 18 § 6312 § D

Madenspacher, Joseph C. 10/16/2015

Confinement Min of 2.00 Years 10/16/2015

Max of 4.00 Years 2 years to 4 years

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

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

Madenspacher, Joseph C. 12/20/2016 432 Days

Confinement Min of 2.00 Years 12/20/2016

Max of 4.00 Years 2 years to 4 years

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

2 / Child Pornography Guilty Plea - Non-Negotiated F3 18 § 6312 §§ D

Madenspacher, Joseph C. 10/16/2015

Confinement Min of 2.00 Years 10/16/2015

Max of 4.00 Years 2 years to 4 years

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

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

Madenspacher, Joseph C. 12/20/2016 432 Days

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DISPOSITION SENTENCING/PENALTIES

Disposition

Disposition Date Final Disposition Case Event

Sequence/Description Offense Disposition **Grade** Section Sentencing Judge Sentence Date

Sentence/Diversion Program Type Incarceration/Diversionary Period Start Date

Sentence Conditions

12/20/2016 Confinement Min of 2 00 Years

> Max of 4.00 Years 2 years to 4 years

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

3 / Criminal Use Of Communication Facility Guilty Plea - Non-Negotiated F3 18 § 7512 §§ A

Madenspacher, Joseph C. 10/16/2015

Min of 1.00 Years 6.00 Months 10/16/2015 Confinement

Max of 4.00 Years

Other

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

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

Madenspacher, Joseph C. 12/20/2016 432 Days

12/20/2016 Confinement Min of 1.00 Years 6.00 Months

Max of 4.00 Years

Other

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

F2 Guilty Plea - Non-Negotiated 18 § 6312 §§ D 4 / Child Pornography

Madenspacher, Joseph C. 10/16/2015

Min of 2.00 Years 6.00 Months 10/16/2015 Confinement

Max of 5.00 Years

2 1/2 years to 5 years

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

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

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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>

Sentence Conditions

Probation Min of 5.00 Years Max of 5.00 Years

5 years

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

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

 Madenspacher, Joseph C.
 12/20/2016
 432 Days

 Confinement
 Min of 2.00 Years
 12/20/2016

Max of 4.00 Years 2 years to 4 years

Payment plan to be established by P/P Services Collections Enforcement Unit.

DNA Sampling & pay costs.

Megan's Law Applies.

Defendant to comply with Sex Offender Conditions.

LINKED SENTENCES:

Link 2



- Link 1 is Consecutive to

CP-36-CR-0000873-2015 - Seq. No. 1 (18§ 3126 §§ A7) - Confinement

Link 1

CP-36-CR-0000169-2015 - Seq. No. 4 (18§ 6312 §§ D) - Confinement is Concurrent with

CP-36-CR-0000169-2015 - Seq. No. 3 (18§ 7512 §§ A) - Confinement is Concurrent with

CP-36-CR-0000169-2015 - Seq. No. 2 (18§ 6312 §§ D) - Confinement is Concurrent with

CP-36-CR-0000169-2015 - Seq. No. 1 (18§ 6312 §§ D) - Confinement

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District Attorney

Name:

Address:

Phone Number(s):

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ATTORNEY INFORMATION **COMMONWEALTH INFORMATION**

> Janie Ann Swinehart Diana Catherine Kelleher Name:

Public Defender

Active

306503 Supreme Court No: Supreme Court No: 205142

Rep. Status: 717-299-8100 (Phone) Phone Number(s):

717-299-8131 (Phone)

Lancaster Co Da's Office Address:

50 N Duke St 150 N Queen St Ste 210 Lancaster, PA 17608 Lancaster, PA 17603-3562

Representing: Fatta, Patrick Eugene

ENTRIES Sequence Number **CP Filed Date Document Date** Filed By 11/19/2014 Herman, Robert A. Jr. Bail Set - Fatta, Patrick Eugene 01/09/2015 Commonwealth of Pennsylvania Motion to Modify Order and Add Special Condition Kelleher, Diana Catherine eService Served 02/12/2020 Swinehart, Janie Ann eService Served 02/12/2020 01/14/2015 Court of Common Pleas - Lancaster County Original Papers Received from Lower Court 01/30/2015 Pfursich, Edwin George IV Waiver of Arraignment 02/03/2015 Commonwealth of Pennsylvania Information Filed (Arraignment Waived) 03/30/2015 Totaro, Donald R. Order - Status, Continued on Defendant 03/31/2015 Pfursich, Edwin George IV Motion for Continuance

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		ENTRIES	
Sequence Number	CP Filed Date Description	ocument Date	Filed By
<u> </u>	03/31/2015		Totaro, Donald R.
Order Granting Motion			, -
	05/04/2015		Totaro, Donald R.
Order - Status, Relist	for Pretrial Conference		
	05/06/2015		Pfursich, Edwin George IV
Motion for Continuand	ce 		
2	05/06/2015		Totaro, Donald R.
Order Granting Motion	n for Continuance — — — — — — — — —		
	05/18/2015		Court of Common Pleas - Lancaster County
Case Correspondence	е		•
	06/01/2015		Knisely, Howard F.
Order - Status, GP/AF	RD Scheduled		
	07/08/2015		Madenspacher, Joseph C.
Guilty Plea - Non-Neg	otiated — — — — — — — —		
2	07/08/2015		Madenspacher, Joseph C.
Assessment/Sexual C	Offender Board/Megan's Law		
3	07/08/2015		Madenspacher, Joseph C.
Pre-Sentence Investig	gation Ordered — — — — — — — —		
	08/24/2015		Lancaster County Adult Probation Unit
Pre-Sentence Investig	gation Report Filed		
	08/27/2015		Madenspacher, Joseph C.
Order Scheduling Ser	ntencing — — — — — — — — —		
	09/29/2015		Swinehart, Janie Ann
Commonwealth's Res	sponse to Defense Objections to Sente	encing Guideline Computation	
			Madenspacher, Joseph C.
Order Granting Contin	nuance of Sentencing		

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Sequence Number	CP Filed Date	Document Date	Filed By			
1	10/14/2015		Madenspacher, Joseph C.			
Order Dismissing Defend	dants objection to sentencing o	guidelines computation				
2	10/16/2015		Madenspacher, Joseph C.			
Order - Sentence/Penalt						
		- – – – – – – – –				
1	10/28/2015		Court of Common Pleas - Lancaster County			
Penalty Assessed			County			
2 Entry of Civil Judgment	10/28/2015		Parsons, Joshua G.			
— — — — — —						
3	10/28/2015		Parsons, Joshua G.			
DC300B Prepared						
		07/08/2015	Madenspacher, Joseph C.			
Transcript of Guilty Plea		07/08/2013	Maderispacher, Joseph C.			
— — <u> </u>						
1	11/04/2015		Court of Common Pleas - Lancaster			
Entry of Civil Judgment			County			
1	11/13/2015		Pfursich, Edwin George IV			
Notice of Appeal to the S	Superior Court					
2	11/13/2015		Knisely, Howard F.			
			Madenspacher, Joseph C.			
Order Granting In Forma	a Pauperis ————————————————————————————————————					
 1	11/16/2015		Pfursich, Edwin George IV			
Motion to Withdraw Appe			··, —-····· · · · ·			
2 Order Granting Motion to	11/16/2015		Madenspacher, Joseph C.			
1	11/17/2015		Kelleher, Diana Catherine			
Entry of Appearance						

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		ENTRIES	
Sequence Number	CP Filed Date	<u>Document Date</u>	<u>Filed By</u>
1	11/23/2015	10/16/2015	Madenspacher, Joseph C.
Transcript of Sentenci	ing		
			Madenspacher, Joseph C.
Concise Statement O			Maderispacher, Joseph C.
1	12/30/2015		Kelleher, Diana Catherine
Concise Statement of	FErrors Complained on App	eal 	
1	01/12/2016		Spahn, Merrill M.
Order Directing Comm		to Defendant's Concise Statemer	
1	02/01/2016	file Metters On 12	Swinehart, Janie Ann
Commonwealth's Ans	wer to Concise Statement o	of the Matters Complained on Appe	eai
1	02/03/2016		Court of Common Pleas - Lancaster
			County
Appeal Filed in Super Kelleher, Diana Catherin			
02/12/2020	eService		Served
Swinehart, Janie Ann			
02/12/2020	eService		Served
1 Opinion	02/12/2016		Spahn, Merrill M.
— — — — — -			
1	03/01/2016		Cullen, James P.
Request for Special P	Probation/Parole Supervision	1	
			Language County Clark of Courts
Index of Record	03/04/2010		Lancaster County Clerk of Courts
Commonwealth of Penn	sylvania		
03/04/2016	Rounds		
Kelleher, Diana Catherin	ne Office Mailbox		
03/04/2016			
2	03/04/2016		Superior Court of Pennsylvania -
			Middle District
Original Record Sent			

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Patrick Eugene Fatta **ENTRIES** Sequence Number **CP Filed Date Document Date** Filed By 10/18/2016 Kelleher, Diana Catherine Motion for Resentencing by Trial Judge 10/20/2016 Reinaker, Dennis E. Order Directing Case Remain with Senior Judge Madenspacher for Resentencing 11/14/2016 Superior Court of Pennsylvania -Middle District Original Record Returned 11/14/2016 09/29/2016 Superior Court of Pennsylvania -Middle District Judgment of Sentence Vacated - Remanded for Resentencing - Jurisdiction Relinquished 11/22/2016 Madenspacher, Joseph C. Sentence Scheduled - Pre-Sentence Investigation Order 12/20/2016 Madenspacher, Joseph C. Order - Sentence/Penalty Imposed Kelleher, Diana Catherine 01/09/2017 eService Served Swinehart, Janie Ann Served 01/09/2017 eService 01/10/2017 Pfursich, Jacquelyn E. DC300B Prepared Kelleher, Diana Catherine eService Served 01/10/2017 Swinehart, Janie Ann 01/10/2017 eService Served 08/03/2017 Wright, Jeffery D. Request for Special Probation/Parole Supervision Kelleher, Diana Catherine 08/03/2017 eService Served Swinehart, Janie Ann 08/03/2017 eService Served

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Sequence Number CP Filed Date Document Date Filed By

Service To Service By

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

05/28/2020 Court of Common Pleas - Lancaster

County

Praecipe to Satisfy Judgment

Kelleher, Diana Catherine

05/28/2020 eService Served

Swinehart, Janie Ann

05/28/2020 eService Served

3 12/10/2021 Lancaster County Adult Probation and

Parole

Motion to Issue Capias and Bench Warrant

Kelleher, Diana Catherine

12/10/2021 eNotice Notified

Swinehart, Janie Ann

12/10/2021 eNotice Notified

4 12/10/2021 12/10/2021 Reinaker, Dennis E.

Order Issuing Capias/Bench Warrant

Kelleher, Diana Catherine

12/10/2021 eService Served

Swinehart, Janie Ann

12/10/2021 eService Served

1 03/22/2023 Lancaster County Adult Probation and

Parole

Motion to Dismiss Capias and Bench Warrant

Kelleher, Diana Catherine

03/22/2023 eNotice Notified

Swinehart, Janie Ann

03/22/2023 eNotice Notified

2 03/22/2023 03/22/2023 Spahn, Merrill M.

Order Granting Dismissal of Capias and Bench Warrant - Release from LCP

Kelleher, Diana Catherine

03/22/2023 eService Served

Swinehart, Janie Ann

03/22/2023 eService Served

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	CASE FINANCIAL INFORMATION							
Last Payment Date: 06/01/2023			Tota	al of Last Payment: -\$	21.41			
Fatta, Patrick Eugene Defendant	Assessment	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<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)	\$20.30	(\$20.30)	\$0.00	\$0.00	\$0.00			
Costs of Prosecution - CJEA	\$50.00	(\$50.00)	\$0.00	\$0.00	\$0.00			
County Court Cost (Act 204 of 1976)	\$29.65	(\$29.65)	\$0.00	\$0.00	\$0.00			
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	(\$10.00)	\$0.00	\$0.00	\$0.00			
Firearm Education and Training Fund	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00			
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)	\$13.55	(\$13.55)	\$0.00	\$0.00	\$0.00			
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00			
Electronic Monitoring - Adult Probation - 6444AB11	\$3,290.00	(\$3,290.00)	\$0.00	\$0.00	\$0.00			
Prosecution Cost - 6411AB1211 (Lancaster)	\$6.68	(\$6.68)	\$0.00	\$0.00	\$0.00			
Postage	\$6.50	(\$6.50)	\$0.00	\$0.00	\$0.00			
Sealed Entry on Public Docket	\$4.65	(\$4.65)	\$0.00	\$0.00	\$0.00			
Sealed Entry on Public Docket	\$10.85	(\$10.85)	\$0.00	\$0.00	\$0.00			
Judgment Satisfaction/Filing Fee 6436AB1511 (Lanc)	\$34.50	(\$34.50)	\$0.00	\$0.00	\$0.00			
Prothonotary Automation Fee 6545AAB1511(Lancaster)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00			

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CASE FINANCIAL INFORMATION									
Fatta, Patrick Eugene Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<u>Balance</u>				
Prothonotary State Tax 6534WB1511 (Lancaster)	\$0.50	(\$0.50)	\$0.00	\$0.00	\$0.00				
Constable/Postage - 6411AB1211 (Lancaster)	\$8.11	(\$8.11)	\$0.00	\$0.00	\$0.00				
Constable/Postage - 6411AB1211 (Lancaster)	\$13.60	(\$13.60)	\$0.00	\$0.00	\$0.00				
Clerk Cost 2 - 6411AB1211 (Lancaster)	\$27.50	(\$27.50)	\$0.00	\$0.00	\$0.00				
Sheriff Cost - Felony - 6411AB1211 (Lancaster)	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00				
DA Cost - Felony- 6411AB1211 (Lancaster)	\$18.00	(\$18.00)	\$0.00	\$0.00	\$0.00				
Bench Warrant Cost - 6444AB1211 (Lancaster)	\$16.50	(\$16.50)	\$0.00	\$0.00	\$0.00				
Sheriff Bench Warrant Cost - 6411AB1211 (Lan)	\$9.00	(\$9.00)	\$0.00	\$0.00	\$0.00				
Costs/Fees Totals:	\$3,863.39	(\$3,863.39)	\$0.00	\$0.00	\$0.00				
Grand Totals:	\$3,863.39	(\$3,863.39)	\$0.00	\$0.00	\$0.00				

^{** -} Indicates assessment is subrogated