

COURT OF COMMON PLEAS OF LANCASTER COUNTY

DOCKET



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

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Patrick Eugene Fatta

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CASE INFORMATION

Cross Court Docket Nos: 2026 MDA 2015

Judge Assigned:

Date Filed: 01/14/2015

Initiation Date: 11/19/2014

OTN: T 591039-1

LOTN:

Originating Docket No: MJ-02103-CR-0000333-2014

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.

Complaint/Citation No.: 2014WH02169

Incident Number:

County: Lancaster

Township: W Hempfield 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>Arrest Date:</u>
Closed	12/20/2016	Sentenced/Penalty Imposed	11/19/2014
	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

<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	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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CONFINEMENT INFORMATION

<u>Confinement Known As Of</u>	<u>Confinement Type</u>	<u>Destination Location</u>	<u>Confinement Reason</u>	<u>Still in Custody</u>
12/06/2021	County Correctional Facility	Dauphin County Prison		Yes
02/10/2023	State Correctional Institution	SCI Coal Township		Yes

DEFENDANT INFORMATION

Date Of Birth: 07/26/1972 City/State/Zip:

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Fatta, Patrick Eugene

BAIL INFORMATION

Fatta, Patrick Eugene					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	11/19/2014	Unsecured	Magisterial District Court		\$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	11/19/2014	T 591039-1
2	2	F3	18 § 6312 §§ D	Child Pornography	11/19/2014	T 591039-1
3	3	F3	18 § 7512 §§ A	Criminal Use Of Communication Facility	11/19/2014	T 591039-1
4	4	F2	18 § 6312 §§ D	Child Pornography	11/19/2014	T 591039-1

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	01/07/2015	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

<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>			
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 Max of 4.00 Years 2 years to 4 years		10/16/2015
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 Max of 4.00 Years 2 years to 4 years		12/20/2016
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 Max of 4.00 Years 2 years to 4 years		10/16/2015
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

<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>			
Confinement	Min of 2.00 Years Max of 4.00 Years 2 years to 4 years	12/20/2016	
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		
Confinement	Min of 1.00 Years 6.00 Months Max of 4.00 Years Other	10/16/2015	
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 1.00 Years 6.00 Months Max of 4.00 Years Other	12/20/2016	
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.			
4 / Child Pornography	Guilty Plea - Non-Negotiated	F2	18 § 6312 §§ D
Madenspacher, Joseph C.	10/16/2015		
Confinement	Min of 2.00 Years 6.00 Months Max of 5.00 Years 2 1/2 years to 5 years	10/16/2015	
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

<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>			
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 Max of 4.00 Years 2 years to 4 years	12/20/2016	
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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COMMONWEALTH INFORMATION

Name: Janie Ann Swinehart

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: Diana Catherine Kelleher

Public Defender

Supreme Court No: 306503

Rep. Status: Active

Phone Number(s):
717-299-8131 (Phone)

Address:
150 N Queen St Ste 210
Lancaster, PA 17603-3562

Representing: Fatta, Patrick Eugene

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/19/2014		Herman, Robert A. Jr.
Bail Set - Fatta, Patrick Eugene			
1	01/09/2015		Commonwealth of Pennsylvania
Motion to Modify Order and Add Special Condition			
Kelleher, Diana Catherine			
02/12/2020	eService		Served
Swinehart, Janie Ann			
02/12/2020	eService		Served
1	01/14/2015		Court of Common Pleas - Lancaster County
Original Papers Received from Lower Court			
1	01/30/2015		Pfursich, Edwin George IV
Waiver of Arraignment			
1	02/03/2015		Commonwealth of Pennsylvania
Information Filed (Arraignment Waived)			
1	03/30/2015		Totaro, Donald R.
Order - Status, Continued on Defendant			
1	03/31/2015		Pfursich, Edwin George IV
Motion for Continuance			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	03/31/2015		Totaro, Donald R.
Order Granting Motion for Continuance			
1	05/04/2015		Totaro, Donald R.
Order - Status, Relist for Pretrial Conference			
1	05/06/2015		Pfursich, Edwin George IV
Motion for Continuance			
2	05/06/2015		Totaro, Donald R.
Order Granting Motion for Continuance			
1	05/18/2015		Court of Common Pleas - Lancaster County
Case Correspondence			
1	06/01/2015		Knisely, Howard F.
Order - Status, GP/ARD Scheduled			
1	07/08/2015		Madenspacher, Joseph C.
Guilty Plea - Non-Negotiated			
2	07/08/2015		Madenspacher, Joseph C.
Assessment/Sexual Offender Board/Megan's Law			
3	07/08/2015		Madenspacher, Joseph C.
Pre-Sentence Investigation Ordered			
1	08/24/2015		Lancaster County Adult Probation Unit
Pre-Sentence Investigation Report Filed			
1	08/27/2015		Madenspacher, Joseph C.
Order Scheduling Sentencing			
1	09/29/2015		Swinehart, Janie Ann
Commonwealth's Response to Defense Objections to Sentencing Guideline Computation			
1	10/02/2015		Madenspacher, Joseph C.
Order Granting Continuance of Sentencing			

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1	10/14/2015		Madenspacher, Joseph C.
Order Dismissing Defendants objection to sentencing guidelines computation			
2	10/16/2015		Madenspacher, Joseph C.
Order - Sentence/Penalty Imposed			
1	10/28/2015		Court of Common Pleas - Lancaster County
Penalty Assessed			
2	10/28/2015		Parsons, Joshua G.
Entry of Civil Judgment			
3	10/28/2015		Parsons, Joshua G.
DC300B Prepared			
1	11/02/2015	07/08/2015	Madenspacher, Joseph C.
Transcript of Guilty Plea			
1	11/04/2015		Court of Common Pleas - Lancaster County
Entry of Civil Judgment			
1	11/13/2015		Pfursich, Edwin George IV
Notice of Appeal to the Superior Court			
2	11/13/2015		Knisely, Howard F. Madenspacher, Joseph C.
Order Granting In Forma Pauperis			
1	11/16/2015		Pfursich, Edwin George IV
Motion to Withdraw Appearance			
2	11/16/2015		Madenspacher, Joseph C.
Order Granting Motion to Withdraw as Counsel			
1	11/17/2015		Kelleher, Diana Catherine
Entry of Appearance			

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1	11/23/2015	10/16/2015	Madenspacher, Joseph C.
Transcript of Sentencing			
1	12/10/2015		Madenspacher, Joseph C.
Concise Statement Order			
1	12/30/2015		Kelleher, Diana Catherine
Concise Statement of Errors Complained on Appeal			
1	01/12/2016		Spahn, Merrill M.
Order Directing Commonwealth to File Response to Defendant's Concise Statement of Errors			
1	02/01/2016		Swinehart, Janie Ann
Commonwealth's Answer to Concise Statement of the Matters Complained on Appeal			
1	02/03/2016		Court of Common Pleas - Lancaster County
Appeal Filed in Superior Court			
Kelleher, Diana Catherine	02/12/2020	eService	Served
Swinehart, Janie Ann	02/12/2020	eService	Served
1	02/12/2016		Spahn, Merrill M.
Opinion			
1	03/01/2016		Cullen, James P.
Request for Special Probation/Parole Supervision			
1	03/04/2016		Lancaster County Clerk of Courts
Index of Record			
Commonwealth of Pennsylvania	03/04/2016	Rounds	
Kelleher, Diana Catherine	03/04/2016	Office Mailbox	
2	03/04/2016		Superior Court of Pennsylvania - Middle District
Original Record Sent			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	10/18/2016		Kelleher, Diana Catherine
Motion for Resentencing by Trial Judge			

1	10/20/2016		Reinaker, Dennis E.
Order Directing Case Remain with Senior Judge Madenspacher for Resentencing			

1	11/14/2016		Superior Court of Pennsylvania - Middle District
Original Record Returned			

2	11/14/2016	09/29/2016	Superior Court of Pennsylvania - Middle District
Judgment of Sentence Vacated - Remanded for Resentencing - Jurisdiction Relinquished			

1	11/22/2016		Madenspacher, Joseph C.
Sentence Scheduled - Pre-Sentence Investigation Order			

1	12/20/2016		Madenspacher, Joseph C.
Order - Sentence/Penalty Imposed			
Kelleher, Diana Catherine	01/09/2017	eService	Served
Swinehart, Janie Ann	01/09/2017	eService	Served

1	01/10/2017		Pfursich, Jacquelyn E.
DC300B Prepared			
Kelleher, Diana Catherine	01/10/2017	eService	Served
Swinehart, Janie Ann	01/10/2017	eService	Served

1	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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<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	05/28/2020		Court of Common Pleas - Lancaster County
Praecepte 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

Total of Last Payment: -\$21.41

Fatta, Patrick Eugene 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)	\$20.30	(\$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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Fatta, Patrick Eugene Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<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