

COURT OF COMMON PLEAS OF CENTRE COUNTY

DOCKET



Docket Number: CP-14-CR-0001889-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Austin D. Whitsitt

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CASE INFORMATION

Judge Assigned:
OTN: T 721212-2 LOTN:
Initial Issuing Authority: The Honorable Steven Frederic Lachman
Arresting Agency: State College Police Dept
Complaint/Citation No.: SCP201508233
County: Centre
Case Local Number Type(s)

Date Filed: 12/07/2015 Initiation Date: 11/03/2015
Originating Docket No: MJ-49305-CR-0000230-2015
Final Issuing Authority: The Honorable Steven Frederic Lachman
Arresting Officer: Shaffer, Kenneth E.
Incident Number:
Township: State College Boro
Case Local Number(s)

STATUS INFORMATION

| <u>Case Status:</u> | <u>Status Date</u> | <u>Processing Status</u> | <u>Complaint Date:</u> |
|---------------------|--------------------|--------------------------------|------------------------|
| Closed | 03/17/2016 | Sentenced/Penalty Imposed | 11/03/2015 |
| | 03/17/2016 | Awaiting Sentencing | |
| | 12/21/2015 | Awaiting Pre-Trial Conference | |
| | 12/07/2015 | Awaiting Filing of Information | |

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> |
| Criminal Pre-Trial Conference | 03/17/2016 | 1:00 pm | Courtroom 1 | Judge Katherine V. Oliver | Scheduled |
| Indirect Criminal Contempt | 04/11/2019 | 1:30 pm | Courtroom 2 | President Judge Jonathan D. Grine | Scheduled |

DEFENDANT INFORMATION

Date Of Birth: 04/14/1992 City/State/Zip: Jackson, TN 38305

CASE PARTICIPANTS

| <u>Participant Type</u> | <u>Name</u> |
|-------------------------|---------------------|
| Defendant | Whitsitt, Austin D. |

BAIL INFORMATION

Whitsitt, Austin D. **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 | 12/21/2015 | ROR | Common Pleas | | \$0.00 |

| <u>Surety Type</u> | <u>Surety Name</u> | <u>Posting Status</u> | <u>Posting Date</u> | <u>Security Type</u> | <u>Security Amt</u> |
|--------------------|---------------------|-----------------------|---------------------|----------------------|---------------------|
| Self | Whitsitt, Austin D. | Posted | 12/21/2015 | Bond Signature | \$0.00 |

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 | M2 | 18 § 2701 §§ A | Simple Assault | 10/04/2015 | T 721212-2 |

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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> | |
| <u>Sentence Conditions</u> | | | |
| Held for Court (Lower Court) | Defendant Was Not Present | | |
| Lower Court Disposition | 12/02/2015 | Not Final | |
| 1 / Simple Assault | Held for Court (Lower Court) | M2 | 18 § 2701 §§ A |
| Proceed to Court (Arraignment Waived) | Defendant Was Not Present | | |
| Information Filed | 12/23/2015 | Not Final | |
| 1 / Simple Assault | Held for Court | M2 | 18 § 2701 §§ A |
| Guilty Plea | | | |
| Pre-Trial Conference | 03/17/2016 | Final Disposition | |
| 1 / Simple Assault | Guilty Plea | M2 | 18 § 2701 §§ A |
| Grine, Jonathan D. | 03/17/2016 | | |
| Probation | Min of 2.00 Years | 03/17/2016 | |
| | Max of 2.00 Years | | |
| | 2 years | | |

Pay all fines and costs and restitution in accordance with a contract in which a payment schedule will be established by the Centre County Probation and Parole Department. This contract will be approved by the court.

Defendant shall pay all fines, costs and fees within _____ days and in accordance with a contract in which a payment schedule will be established by the Centre County Probation and Parole Department. This contract will be approved by the Court.

That you pay the costs of prosecution and supervision fee.

Judgment shall be entered against you and in favor of the Centre County Probation and Parole Department for all fees, costs and fines ordered to be paid by you.

That you violate no law of this Commonwealth or any other jurisdiction during your probation period.

That, if you have not already done so, you make restitution to Zachary Young in the amount of \$1,125.40

That you shall devote 1 day to community service as assigned by the Centre County Court Program Coordinator

That you shall be prohibited from consuming any alcoholic beverage(s) and/or non-prescribed drugs.

That you undergo any evaluation deemed necessary as arranged by the Centre County Probation and Parole Department and participate in any treatment programs as may be recommended as a result of any evaluation, and as approved by the Centre County Probation and Parole Department.

That you shall be prohibited from entering any public or private business or establishment that deal and/or sell alcohol without prior approval from the Centre County Probation and Parole Department.

That you shall be prohibited from entering Inferno in State College, Pennsylvania.

That you have no contact, directly or indirectly or attempt to have contact, directly or indirectly, with ZY

Counts 2 and 3 are nol prossed.

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|--|--|-------------------------------|----------------|
| <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> | | | |

That you undergo any evaluation deemed necessary as arranged by the Centre County Probation and Parole Department and participate in any treatment programs as may be recommended as a result of any evaluation, and as approved by the Centre County Probation and Parole Department. That you shall undergo any drug and alcohol evaluation and counseling as determined by the Centre County Probation and Parole Department.

COMMONWEALTH INFORMATION

Name: Lindsay Catherine Foster
Assistant District Attorney

Supreme Court No: 316621

Phone Number(s):
814-355-6735 (Phone)

Address:
Centre County Da's Office
102 S Allegheny St RM 404
Bellefonte, PA 16823

ATTORNEY INFORMATION

Name: Lance T. Marshall
Private

Supreme Court No: 076584

Rep. Status: Active

Phone Number(s):
814-308-8439 (Phone)
814-308-0422 (Phone)

Address:
250 E Beaver Ave
Ste 774
State College, PA 16801-4902

Representing: Whitsitt, Austin D.

ENTRIES

| <u>Sequence Number</u> | <u>CP Filed Date</u> | <u>Document Date</u> | <u>Filed By</u> |
|--|----------------------|----------------------|---------------------------------------|
| 1 | 12/07/2015 | | Court of Common Pleas - Centre County |
| Original Papers Received from Lower Court | | | |
| 1 | 12/21/2015 | | Kistler, Thomas King |
| Bail Set - Whitsitt, Austin D. | | | |
| 2 | 12/21/2015 | | Whitsitt, Austin D. |
| Bail Posted - Whitsitt, Austin D. | | | |
| 4 | 12/21/2015 | | Marshall, Lance T. |
| Important Notice of Required Court Appearances | | | |

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|---|----------------------|----------------------|------------------------------------|
| 5 | 12/21/2015 | | Marshall, Lance T. |
| Waiver of Appearance at Arraignment | | | |
| 1 | 12/22/2015 | | Marshall, Lance T. |
| Entry of Appearance Foster, Lindsay Catherine 12/22/2015 | | | |
| 2 | 12/22/2015 | | Centre County Sheriff's Department |
| Warrant Return Filed | | | |
| 1 | 12/23/2015 | | Commonwealth of Pennsylvania |
| Information Filed (Arraignment Waived) | | | |
| 1 | 03/17/2016 | | Grine, Jonathan D. |
| Guilty Plea | | | |
| 2 | 03/17/2016 | 03/21/2016 | Grine, Jonathan D. |
| Order - Sentence/Penalty Imposed Centre County Probation Department 03/23/2016 Foster, Lindsay Catherine 03/23/2016 Marshall, Lance T. 03/23/2016 | | | |
| 1 | 03/21/2016 | | Marshall, Lance T. |
| Written Guilty Plea Colloquy | | | |
| 1 | 04/01/2016 | 03/28/2016 | Grine, Jonathan D. |
| Amended Order Filed Centre County Probation 04/06/2016 Foster, Lindsay Catherine 04/06/2016 Marshall, Lance T. 04/06/2016 | | | |
| 1 | 04/06/2016 | | Grine, Jonathan D. |
| Penalty Assessed (Civil #16-1284) | | | |

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|--------------------------------|----------------------|----------------------|--|
| 1 | 03/14/2019 | | Grine, Jonathan D. |
| Order Scheduling Hearing | | | |
| 2 | 03/14/2019 | | Commonwealth of Pennsylvania |
| Motion for Finding of Contempt | | | |
| 3 | 03/14/2019 | | Commonwealth of Pennsylvania |
| Certificate of Service | | | |
| 1 | 04/12/2019 | | Court of Common Pleas - Centre County |
| Penalty Satisfied | | | |
| 2 | 04/12/2019 | | Commonwealth of Pennsylvania |
| Praecipe to Withdraw Petition | | | |

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CASE FINANCIAL INFORMATION

Last Payment Date: 04/12/2019

Total of Last Payment: -\$844.80

| Whitsitt, Austin D. Defendant | <u>Assessment</u> | <u>Payments</u> | <u>Adjustments</u> | <u>Non Monetary Payments</u> | <u>Balance</u> |
|---|-------------------|-----------------|--------------------|----------------------------------|----------------|
| Costs/Fees | | | | | |
| Sheriff Server Fees (Cente) | \$15.00 | (\$15.00) | \$0.00 | \$0.00 | \$0.00 |
| ATJ | \$4.00 | (\$4.00) | \$0.00 | \$0.00 | \$0.00 |
| Automation Fee (Centre) | \$5.00 | (\$5.00) | \$0.00 | \$0.00 | \$0.00 |
| Booking Center Fee (Centre) | \$200.00 | (\$200.00) | \$0.00 | \$0.00 | \$0.00 |
| CJES | \$2.25 | (\$2.25) | \$0.00 | \$0.00 | \$0.00 |
| Clerk of Courts Costs (Centre) | \$60.00 | (\$60.00) | \$0.00 | \$0.00 | \$0.00 |
| Commonwealth Cost - HB627 (Act 167 of 1992) | \$10.15 | (\$10.15) | \$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) | \$33.00 | (\$33.00) | \$0.00 | \$0.00 | \$0.00 |
| Court Order Fee (Centre) | \$5.00 | (\$5.00) | \$0.00 | \$0.00 | \$0.00 |
| Crime Victims Compensation (Act 96 of 1984) | \$35.00 | (\$35.00) | \$0.00 | \$0.00 | \$0.00 |
| District Attorney Fee (Centre) | \$37.50 | (\$37.50) | \$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 |
| Prothonotary 236 Judgment Fee (Centre) | \$35.00 | (\$35.00) | \$0.00 | \$0.00 | \$0.00 |
| State Court Costs (Act 204 of 1976) | \$11.85 | (\$11.85) | \$0.00 | \$0.00 | \$0.00 |
| Victim Witness Service (Act 111 of 1998) | \$25.00 | (\$25.00) | \$0.00 | \$0.00 | \$0.00 |
| Trial/Witness Fees (Centre) | \$6.40 | (\$6.40) | \$0.00 | \$0.00 | \$0.00 |
| CS - Community Service Insurance (Centre) | \$10.00 | (\$10.00) | \$0.00 | \$0.00 | \$0.00 |
| OSP (Centre/State) (Act 35 of 1991) | \$360.00 | (\$15.00) | (\$345.00) | \$0.00 | \$0.00 |
| OSP (Centre/State) (Act 35 of 1991) | \$360.00 | (\$15.00) | (\$345.00) | \$0.00 | \$0.00 |
| Application Fee (Act 95-2010) (County) | \$100.00 | (\$100.00) | \$0.00 | \$0.00 | \$0.00 |
| Costs/Fees Totals: | \$1,409.40 | (\$719.40) | (\$690.00) | \$0.00 | \$0.00 |
| Restitution | | | | | |
| Restitution | \$1,125.40 | (\$1,125.40) | \$0.00 | \$0.00 | \$0.00 |
| Restitution Totals: | \$1,125.40 | (\$1,125.40) | \$0.00 | \$0.00 | \$0.00 |

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| | | | | | |
|---------------|------------|--------------|------------|--------|--------|
| Grand Totals: | \$2,534.80 | (\$1,844.80) | (\$690.00) | \$0.00 | \$0.00 |
|---------------|------------|--------------|------------|--------|--------|

** - Indicates assessment is subrogated