

# COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

## DOCKET



Docket Number: CP-51-CR-0004978-2022

## CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

James Garisto

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### CASE INFORMATION

Cross Court Docket Nos: CP-22-MD-0001657-2023

Judge Assigned: Shaffer, Zachary C.

Date Filed: 06/30/2022

Initiation Date: 06/30/2022

OTN: U 252731-3

LOTN:

Originating Docket No: MC-51-CR-0007263-2022

Initial Issuing Authority: Lydia Y. Kirkland

Final Issuing Authority:

Arresting Agency: Philadelphia Pd

Arresting Officer: Daly, Jeffery

Complaint/Citation No.: 2225009419-0007263

Incident Number: 2225009419

County: Philadelphia

Township: Philadelphia City

Case Local Number Type(s)

Case Local Number(s)

Originating Docket Number

MC-51-CR-0007263-2022

District Control Number

2225009419

Originating Document Number

2225009419-0007263

### STATUS INFORMATION

<u>Case Status:</u>	<u>Closed</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	05/04/2022
		11/27/2023	Completed		
		11/06/2023	Sentenced/Penalty Imposed		
		09/06/2023	Awaiting PSI		
		09/06/2023	Awaiting Sentencing		
		06/09/2023	Awaiting PSI		
		06/09/2023	Awaiting Sentencing		
		06/09/2023	Awaiting Sentencing		
		10/25/2022	Awaiting Scheduling Conference		
		07/12/2022	Awaiting Pre-Trial Conference		
		06/30/2022	Awaiting Filing of Information		

Complaint Date: 05/04/2022

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### 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	07/13/2022	11:00 am	1104	Trial Commissioner Cynthia S. Gregg	Scheduled
Pre-Trial Conference	08/02/2022	9:00 am	1005	Judge Robert P. Coleman	Scheduled
Pretrial Bring Back	10/25/2022	9:00 am	1005	Judge Robert P. Coleman	Scheduled
Scheduling Conference	12/13/2022	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Status	02/15/2023	9:00 am	905	Judge Zachary C. Shaffer	Continued
Status	04/17/2023	9:00 am	905	Judge Zachary C. Shaffer	Continued
Status	06/09/2023	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Sentencing	09/07/2023	9:00 am	905	Judge Zachary C. Shaffer	Continued
Sentencing	11/06/2023	9:00 am	905	Judge Zachary C. Shaffer	Scheduled

### DEFENDANT INFORMATION

Date Of Birth: 01/16/1949      City/State/Zip: Harrisburg, PA 17110

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Garisto, James

### BAIL INFORMATION

**Garisto, James** **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	05/05/2022	Monetary	Municipal Court	10.00%	\$75,000.00

<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	Garisto, James	Posted	05/05/2022	Cash	\$7,500.00

### 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>
2	2	F3	18 § 6301 §§ A1ii	Corruption Of Minors - Defendant Age 18 or Above	02/23/2022	U 252731-3
3	5	M2	18 § 3126 §§ A1	Indec Asslt-W/O Cons Of Other	02/23/2022	U 252731-3

### DISPOSITION SENTENCING/PENALTIES

<u>Disposition</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Case Event</u>	<u>Offense Disposition</u>	<u>Grade</u> <u>Section</u>
<u>Sequence/Description</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentencing Judge</u>	<u>Incarceration/Diversiory Period</u>	<u>Start Date</u>
<u>Sentence/Diversion Program Type</u>		
<u>Sentence Conditions</u>		

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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>			
<b>Lower Court Proceeding (generic)</b>			
Preliminary Hearing	06/29/2022	Not Final	
2 / Corruption Of Minors - Defendant Age 18 or Above	Held for Court	F3	18 § 6301 §§ A1ii
<b>Proceed to Court</b> Defendant Was Not Present			
Information Filed	07/07/2022	Not Final	
2 / Corruption Of Minors - Defendant Age 18 or Above	Proceed to Court	F3	18 § 6301 §§ A1ii
3 / Indec Asslt-W/O Cons Of Other	Replacement by Information	M2	18 § 3126 §§ A1
<b>Nolo Contendere</b>			
Status	06/09/2023	Final Disposition	
2 / Corruption Of Minors - Defendant Age 18 or Above	Guilty	F3	18 § 6301 §§ A1ii
Shaffer, Zachary C.	11/06/2023		
Probation	Max of 4.00 Years		11/06/2023
	4 years		

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Disposition

Case Event

Disposition Date

Final Disposition

Sequence/Description

Offense Disposition

Grade    Section

Sentencing Judge

Sentence Date

Credit For Time Served

Sentence/Diversion Program Type

Incarceration/Diversionary Period

Start Date

Sentence Conditions

If convicted of Megan's Law Offense, registration requirements, terms of frequency and duration are based on convictions as colloqued.

Sex Offenders Treatment - You MUST be evaluated and assessed for Sex Offender Specific Therapy by a Pennsylvania approved Sexual Offender Assessment Board Treatment Provider; Comply and complete an individualized treatment plan developed by the treatment provider, including polygraph testing. Unsuccessful discharge will result in a violation.

Minors - You CANNOT have contact or reside with minors or biological children without written approval from the court if offense involves a minor under 18 year of age. No employment or volunteering with any agency that provides care/custody of minors under 18 years of age or physically/mentally incapacitated persons. Cannot patronize any establishment or public/private space that provides activities, services or goods for minors without written approval from the court.

Search & Seizure - If your offense involves Child Pornography, you will not have any obscene material of any kind at your residence, employment or on electronic devices. Electronic devices will be monitored by the APPD including computers, cellphones, laptops and tablets for pornographic material as well as intermittent internet usage all at the cost of the defendant. Search of person and/or property including vehicles may be conducted by the APPD with seizure of any/all property including vehicles may be conducted by the APPD with seizure of any/all contraband deemed to be obscene including host devised and assumed property of the Philadelphia APPD in accordance with Act 96 42 PA.CS 9912.

Travel - The Court MUST grant permission to travel and said permission may be revoked at any time. Travel without court permission constitutes a violation which can result in being detained. Overnight travel requires judicial permission and thirty (30) day notice to APPD.

Victims - NO contact with victim including in-person, communication devices, third parties or intermediaries. You are not permitted within the vicinity of the victim's residency, place of employment, school or members of the victim's family or household. You are not permitted to damage or arrange any deliveries to the victim's residence/property, home, work or school.

DNA - Comply with submission of specimen to the State Crime Lab for DNA registration as applicable.

Defendant to be supervised by the Sexual Offender's Unit

3 / Indec Asslt-W/O Cons Of Other	Guilty	M2	18 § 3126 §§ A1
Shaffer, Zachary C.	11/06/2023		
Confinement	Min of 11.00 Months 15.00 Days Max of 23.00 Months 11 1/2 - 23 months		11/06/2023

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## DISPOSITION SENTENCING/PENALTIES

### Disposition

#### Case Event

#### Disposition Date

#### Final Disposition

#### Sequence/Description

#### Offense Disposition

#### Grade    Section

#### Sentencing Judge

#### Sentence Date

#### Credit For Time Served

#### Sentence/Diversion Program Type

#### Incarceration/Diversionary Period

#### Start Date

#### Sentence Conditions

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Travel - The Court MUST grant permission to travel and said permission may be revoked at any time. Travel without court permission constitutes a violation which can result in being detained. Overnight travel requires judicial permission and thirty (30) day notice to APPD.

Victims - NO contact with victim including in-person, communication devices, third parties or intermediaries. You are not permitted within the vicinity of the victim's residency, place of employment, school or members of the victim's family or household. You are not permitted to damage or arrange any deliveries to the victim's residence/property, home, work or school.

DNA - Comply with submission of specimen to the State Crime Lab for DNA registration as applicable.

Defendant paroled immediately.

Credit to be calculated by the Phila. Prison System

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### COMMONWEALTH INFORMATION

Name:

Supreme Court No:

### ATTORNEY INFORMATION

Name:

Fortunato N. Perri Jr.

Private

Supreme Court No:

052719

Rep. Status:

Active

Phone Number(s):

215-981-0999 (Phone)

215-981-0999 (Office)

Address:

McMonagle Perri Et Al

1845 Walnut St Fl 19

Philadelphia, PA 19103

Representing: Garisto, James

### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/30/2022		Court of Common Pleas - Philadelphia County
Held for Court			
1	07/07/2022		Krasner, Larry
Information Filed			
2	07/07/2022		Perri, Fortunato N. Jr.
Waiver of Appearance at Arraignment			
3	07/12/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	07/12/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
7	07/12/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
11	07/12/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
2	08/02/2022		Coleman, Robert P.
Defense Request For Continuance For Further Investigation			
1	12/13/2022		Shaffer, Zachary C.
Defense Request For Continuance For Further Investigation			
3	12/13/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	02/15/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	02/15/2023		Shaffer, Zachary C.
Defense Request For Continuance For Further Investigation			
3	04/17/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	04/17/2023		Shaffer, Zachary C.
Defense Request For Continuance For Further Investigation			
1	06/09/2023		Shaffer, Zachary C.
Nolo Contendere			
4	06/09/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	09/06/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	11/06/2023		Shaffer, Zachary C.
Order - Sentence/Penalty Imposed			
3	11/06/2023		Court of Common Pleas - Philadelphia County
Penalty Assessed			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	11/06/2023		Court of Common Pleas - Philadelphia County
Itemized Account of Fines, Costs, Fees, and Restitution			
Fines and Costs			
11/06/2023			
5	11/06/2023		Philadelphia County Office of Court Compliance
Payment Plan/Financial Information Submitted			
1	11/27/2023		Court of Common Pleas - Philadelphia County
Transferred to CP-12-22-Crim			
1	12/11/2023		Court of Common Pleas - Philadelphia County
Bail Refund			
1	01/11/2024		Anders, Daniel J.
Entry of Civil Judgment			



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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>
51-2023-P000002105	Monthly	01/30/2025	Yes	\$75.00
Garisto, James			No	\$25.00

<u>Payment Plan History:</u>	<u>Receipt Date</u>		<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	01/18/2024	Payment	Garisto, James	Defendant	\$50.00
	02/22/2024	Payment	Garisto, James	Defendant	\$25.00
	04/01/2024	Payment	Garisto, James	Defendant	\$25.00
	06/03/2024	Payment	Garisto, James	Defendant	\$25.00
	07/03/2024	Payment	Garisto, James	Defendant	\$25.00
	07/30/2024	Payment	Garisto, James	Defendant	\$25.00
	09/04/2024	Payment	Garisto, James	Defendant	\$25.00
	10/04/2024	Payment	Garisto, James	Defendant	\$25.00
	11/06/2024	Payment	Garisto, James	Defendant	\$25.00
	01/09/2025	Payment	Garisto, James	Defendant	\$25.00
	02/12/2025	Payment	Garisto, James	Defendant	\$25.00
	03/24/2025	Payment	Garisto, James	Defendant	\$25.00

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### CASE FINANCIAL INFORMATION

Last Payment Date: 03/24/2025

Total of Last Payment: -\$25.00

Garisto, James Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
<b>Costs/Fees</b>					
Bail Bond (Philadelphia)	\$10.00	\$0.00	(\$10.00)	\$0.00	\$0.00
ATJ	\$6.00	(\$6.00)	\$0.00	\$0.00	\$0.00
Booking Center Fee (Philadelphia)	\$175.00	\$0.00	\$0.00	\$0.00	\$175.00
CJES	\$2.50	(\$2.50)	\$0.00	\$0.00	\$0.00
CQS Fee Misdemeanor (Philadelphia)	\$50.00	(\$8.18)	\$0.00	\$0.00	\$41.82
Commonwealth Cost - HB627 (Act 167 of 1992)	\$11.35	\$0.00	\$0.00	\$0.00	\$11.35
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$36.90	\$0.00	\$0.00	\$0.00	\$36.90
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
Criminal Lab Fee (Philadelphia)	\$135.00	(\$21.81)	\$0.00	\$0.00	\$113.19
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Domestic Violence Compensation (Act 44 of 1988)	\$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	(\$21.25)	\$0.00	\$0.00	\$0.00
Judicial Computer Project	\$8.00	(\$8.00)	\$0.00	\$0.00	\$0.00
OAG - JCP	\$2.50	(\$2.50)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$13.25	\$0.00	\$0.00	\$0.00	\$13.25
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Civil Judgment/Lien (Philadelphia)	\$100.69	\$0.00	\$0.00	\$0.00	\$100.69
OSP (Philadelphia) (Act 77 of 2022)	\$1,200.00	(\$194.76)	\$0.00	\$0.00	\$1,005.24
Costs/Fees Totals:	\$2,147.44	(\$325.00)	(\$10.00)	\$0.00	\$1,812.44
Grand Totals:	\$2,147.44	(\$325.00)	(\$10.00)	\$0.00	\$1,812.44

\*\* - Indicates assessment is subrogated