

COURT OF COMMON PLEAS OF LANCASTER COUNTY

DOCKET



Docket Number: CP-36-CR-0005331-2024

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Benjamin Garcia Gual

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CASE INFORMATION

Judge Assigned: Wright, Jeffery D. Date Filed: 12/02/2024 Initiation Date: 11/03/2024
OTN: Q 1008731-3 LOTN: Originating Docket No: MJ-02205-CR-0000189-2024
Initial Issuing Authority: Brian E. Chudzik Final Issuing Authority: Brian E. Chudzik
Arresting Agency: East Hempfield Twp Police Dept Arresting Officer: Clisham, Tyler A.
Complaint/Citation No.: 1559 Incident Number: EH2406175
County: Lancaster Township: E Hempfield Township
Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION

Case Status: Active Status Date: 12/26/2024 Processing Status: Awaiting Pre-Trial Conference Complaint Date: 11/03/2024
12/02/2024 Awaiting Formal Arraignment
12/02/2024 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>
Formal Arraignment	12/27/2024	9:00 am	Courtroom A		Cancelled
Status Conference	01/10/2025	9:00 am		Judge Craig William Stedman	Continued
Status Conference	04/03/2025	9:00 am	Courtroom 5	Judge Jeffery D. Wright	Continued
Status Conference	05/29/2025	9:00 am	Courtroom 6	Judge Jeffery D. Wright	Cancelled

DEFENDANT INFORMATION

Date Of Birth: 02/18/1975 City/State/Zip: Lancaster, PA 17603

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Garcia Gual, Benjamin

BAIL INFORMATION

Garcia Gual, Benjamin **Nebbia Status: None**

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Denied	11/05/2024		Magisterial District Court		\$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	H1	18 § 2501 §§ A	Criminal Homicide	11/03/2024	Q 1008731-3
2	2	H1	18 § 901 §§ A	Criminal Attempt - Criminal Homicide	11/03/2024	Q 1008731-3
3	3	F1	18 § 2702 §§ A1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	11/03/2024	Q 1008731-3

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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>
4	4	F1	18 § 2702 §§ A1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	11/03/2024	Q 1008731-3
5	5	F1	18 § 2702 §§ A1	Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	11/03/2024	Q 1008731-3
6	6	M1	18 § 907 §§ A	Poss Instrument Of Crime W/Int	11/03/2024	Q 1008731-3
7	7	M2	18 § 2705	Recklessly Endangering Another Person	11/03/2024	Q 1008731-3
8	8	M2	18 § 2705	Recklessly Endangering Another Person	11/03/2024	Q 1008731-3
9	9	M2	18 § 2705	Recklessly Endangering Another Person	11/03/2024	Q 1008731-3

DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

Waived for Court (Lower Court)

Defendant Was Present

Lower Court Disposition	12/02/2024	Not Final
1 / Criminal Homicide	Waived for Court (Lower Court)	H1 18 § 2501 §§ A
2 / Criminal Attempt - Criminal Homicide	Waived for Court (Lower Court)	H1 18 § 901 §§ A
3 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Waived for Court (Lower Court)	F1 18 § 2702 §§ A1
4 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Waived for Court (Lower Court)	F1 18 § 2702 §§ A1
5 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Waived for Court (Lower Court)	F1 18 § 2702 §§ A1
6 / Poss Instrument Of Crime W/Int	Waived for Court (Lower Court)	M1 18 § 907 §§ A
7 / Recklessly Endangering Another Person	Waived for Court (Lower Court)	M2 18 § 2705
8 / Recklessly Endangering Another Person	Waived for Court (Lower Court)	M2 18 § 2705
9 / Recklessly Endangering Another Person	Waived for Court (Lower Court)	M2 18 § 2705

Proceed to Court

Defendant Was Not Present

Information Filed	12/05/2024	Not Final
1 / Criminal Homicide	Proceed to Court	H1 18 § 2501 §§ A
2 / Criminal Attempt - Criminal Homicide	Proceed to Court	H1 18 § 901 §§ A
3 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Proceed to Court	F1 18 § 2702 §§ A1
4 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Proceed to Court	F1 18 § 2702 §§ A1
5 / Aggravated Assault - Attempts to cause SBI or causes injury with extreme indifference	Proceed to Court	F1 18 § 2702 §§ A1

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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>			
6 / Poss Instrument Of Crime W/Int	Proceed to Court	M1	18 § 907 §§ A
7 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
8 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
9 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705

COMMONWEALTH INFORMATION

Name: Travis Scott Anderson
District Attorney

Supreme Court No: 307264

Phone Number(s):
717-299-8100 (Phone)

Address:
50 N Duke St
Lancaster, PA 17608

Name: Lancaster County District Attorney's
Office
District Attorney

Supreme Court No:

Phone Number(s):
717-299-8100 (Phone)

Address:
Lancaster County Courthouse
50 North Duke Street
Lancaster, PA 17608

ATTORNEY INFORMATION

Name: George Setrag Yacoubian Jr.
Private

Supreme Court No: 206576

Rep. Status: Active

Phone Number(s):
610-213-3452 (Phone)
610-213-3452 (Mobile)

Address:
1515 Market St Ste 1200
Philadelphia, PA 19102

Representing: Garcia Gual, Benjamin

Name: Sarah Alexandra Hansen
District Attorney

Supreme Court No: 334889

Phone Number(s):
717-299-8100 (Phone)

Address:
50 N Duke St 6th Fl
Lancaster, PA 17608

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	11/05/2024		Chudzik, Brian E.
Order Denying Motion to Set Bail - Garcia Gual, Benjamin			
Lancaster County District Attorney's			
Office			
12/02/2024	eService		Served
1	12/02/2024		Court of Common Pleas - Lancaster County
Original Papers Received from Lower Court			
Lancaster County District Attorney's			
Office			
12/02/2024	eService		Served
1	12/05/2024		Adams, Heather
Information Filed			
Lancaster County District Attorney's			
Office			
12/05/2024	eService		Served
1	12/26/2024		Churchville, John Elliot Jr.
Entry of Appearance - John E. Churchville, Esq. and Waiver of Arraignment			
Anderson, Travis Scott			
12/27/2024	eNotice		Notified
Lancaster County District Attorney's			
Office			
12/27/2024	eNotice		Notified
1	12/27/2024		Lancaster County District Attorney's Office
Commonwealth's Notice of Aggravating Circumstances			
Anderson, Travis Scott			
12/27/2024	eService		Served
Churchville, John Elliot Jr.			
12/27/2024	eNotice		Notified
3	12/31/2024		Stedman, Craig William
Order Scheduling Hearing			
Anderson, Travis Scott			

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12/31/2024	eService		Served
Churchville, John Elliot Jr.			
12/31/2024	eService		Served
Lancaster County District Attorney's Office			
12/31/2024	eService		Served

1	01/23/2025		Churchville, John Elliot Jr.
Petition to Withdraw as Counsel			
Anderson, Travis Scott			
01/23/2025	eNotice		Notified
Lancaster County District Attorney's Office			
01/23/2025	eNotice		Notified

1	01/29/2025		Brown, Leonard G. III
Opinion & Order			
Anderson, Travis Scott			
01/29/2025	eService		Served
Churchville, John Elliot Jr.			
01/29/2025	eService		Served
Lancaster County District Attorney's Office			
01/29/2025	eService		Served

1	03/21/2025		Lancaster County Court Administration
Hearing Notice			
Anderson, Travis Scott			
03/21/2025	eService		Served
Lancaster County District Attorney's Office			
03/21/2025	eService		Served

2	03/21/2025		Lancaster County Court Administration
Hearing Notice			
Anderson, Travis Scott			

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03/21/2025	eService		Served
Lancaster County District Attorney's Office			
03/21/2025	eService		Served

3	03/21/2025		Lancaster County Court Administration
Hearing Notice			
Anderson, Travis Scott			
03/21/2025	eService		Served
Lancaster County District Attorney's Office			
03/21/2025	eService		Served

4	03/21/2025		Court of Common Pleas - Lancaster County
Hearing Notice			
Anderson, Travis Scott			
03/21/2025	eService		Served
Garcia Gual, Benjamin			
03/21/2025	First Class		
Lancaster County District Attorney's Office			
03/21/2025	eService		Served

1	04/07/2025		Wright, Jeffery D.
Conference Order			

1	05/01/2025		Yacoubian, George Setrag Jr.
Entry of Appearance - George S. Yacoubian, Esq.			
Anderson, Travis Scott			
05/01/2025	eNotice		Notified
Lancaster County District Attorney's Office			
05/01/2025	eNotice		Notified

1	05/14/2025		Yacoubian, George Setrag Jr.
Application for Continuance			

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Anderson, Travis Scott			
05/14/2025	eNotice		Notified
Lancaster County District Attorney's Office			
05/14/2025	eNotice		Notified

1	05/15/2025		Lancaster County Court Administration
Hearing Notice			
Anderson, Travis Scott			
05/15/2025	eService		Served
Lancaster County District Attorney's Office			
05/15/2025	eService		Served
Yacoubian, George Setrag Jr.			
05/15/2025	eService		Served

2	05/15/2025		Court of Common Pleas - Lancaster County
Hearing Notice			
Anderson, Travis Scott			
05/15/2025			
Anderson, Travis Scott			
05/15/2025	eService		Served
Commonwealth of Pennsylvania			
05/15/2025			
Lancaster County District Attorney's Office			
05/15/2025	eService		Served
Yacoubian, George Setrag Jr.			
05/15/2025			
Yacoubian, George Setrag Jr.			
05/15/2025	eService		Served

1	05/21/2025	05/20/2025	Wright, Jeffery D.
Order Scheduling Status Conference			
Anderson, Travis Scott			
05/21/2025	eService		Served

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Lancaster County District Attorney's Office			
05/21/2025	eService		Served
Yacoubian, George Setrag Jr.			
05/21/2025	eService		Served

1	07/28/2025		Yacoubian, George Setrag Jr.
Petition for Expert Fees for a Defense Mitigation Specialist			
Anderson, Travis Scott			
07/28/2025	eService		Served
Lancaster County District Attorney's Office			
07/28/2025	eService		Served

1	07/29/2025		Yacoubian, George Setrag Jr.
Petition for Expert Fees for a Spanish Linguist			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

2	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Record Defense Objections and Reasons for Overruling Them			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

3	07/29/2025		Yacoubian, George Setrag Jr.
Motion for a Courtroom Decorum Order to Ensure a Fair Trial			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

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4	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Record All Sidebar Communications			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

5	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Compel Commonwealth to Disclose Mitigating Factors that its Agents May be Aware of			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

6	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Preclude the Commonwealth from Defining Mitigating Circumstances to the Jury			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

7	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Exclude In-Life and Inflammatory Photographs			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served

8	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Prohibit Prejudicial Display of Tangible Evidence and/or Photographs During the Trial			
Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			

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07/29/2025	eService		Served
9	07/29/2025		Anderson, Travis Scott
Commonwealth's Motion to Strike Lancaster County District Attorney's Office			
07/29/2025	eService		Served
Yacoubian, George Setrag Jr.			
07/29/2025	eNotice		Notified
10	07/29/2025		Yacoubian, George Setrag Jr.
Defense Motion Opposing the Motion to Strike Anderson, Travis Scott			
07/29/2025	eNotice		Notified
Lancaster County District Attorney's Office			
07/29/2025	eNotice		Notified
11	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Reveal Commonwealth's Deals or Concessions Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served
12	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Compel Law Enforcement to Turn Over and Advise the Prosecuting Attorney of All Information Anderson, Travis Scott			
07/29/2025	eService		Served
Lancaster County District Attorney's Office			
07/29/2025	eService		Served
13	07/29/2025		Yacoubian, George Setrag Jr.
Motion for the Commonwealth to Disclose Exculpatory Information Anderson, Travis Scott			
07/29/2025	eService		Served

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14	07/29/2025		Yacoubian, George Setrag Jr.
Motion to Prohibit Commonwealth from Referring to the First of These Proceedings as the Guilt Phase			
Anderson, Travis Scott			
07/29/2025	eService		Served
1	07/30/2025		Yacoubian, George Setrag Jr.
Motion to Dismiss Capital Components as Violations of Domestic and International Law			
Anderson, Travis Scott			
07/30/2025	eService		Served
2	07/30/2025		Yacoubian, George Setrag Jr.
Motion to Preclude the Death Penalty on Moratorium Pennsylvania Grounds			
Anderson, Travis Scott			
07/30/2025	eService		Served
Chisholm, Walter C.			
07/30/2025	eService		Served
Hansen, Sarah Alexandra			
07/30/2025	eService		Served
1	07/31/2025		Wright, Jeffery D.
Order Scheduling Hearing			
Anderson, Travis Scott			
07/31/2025	eService		Served
Chisholm, Walter C.			
07/31/2025	eService		Served
Hansen, Sarah Alexandra			
07/31/2025	eService		Served
Yacoubian, George Setrag Jr.			
07/31/2025	eService		Served
1	09/04/2025		Yacoubian, George Setrag Jr.
Omnibus Pre-Trial Motion Pursuant to Rule 578			
Anderson, Travis Scott			
09/04/2025	eNotice		Notified
Chisholm, Walter C.			
09/04/2025	eService		Served

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Hansen, Sarah Alexandra			
09/04/2025	eNotice		Notified
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