

COURT OF COMMON PLEAS OF CLARION COUNTY

DOCKET



Docket Number: CP-16-CR-0000324-2015

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

David Wayne Smith

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CASE INFORMATION

<u>Judge Assigned:</u>	<u>Date Filed:</u> 07/22/2015	<u>Initiation Date:</u> 05/01/2015
<u>OTN:</u> T 649892-5	<u>LOTN:</u>	<u>Originating Docket No:</u> MJ-18302-CR-0000049-2015
<u>Initial Issuing Authority:</u> Timothy P. Schill		<u>Final Issuing Authority:</u> Timothy P. Schill
<u>Arresting Agency:</u> Marienville PSP		<u>Arresting Officer:</u> Lesko, James E. Jr.
<u>Complaint/Citation No.:</u> C071190132		<u>Incident Number:</u>
<u>County:</u> Clarion		<u>Township:</u> Farmington Township
<u>Case Local Number Type(s)</u>		<u>Case Local Number(s)</u>

STATUS INFORMATION

<u>Case Status:</u> Closed	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	05/01/2015
	10/21/2015	Sentenced/Penalty Imposed		
	09/11/2015	Awaiting PSI		
	09/11/2015	Awaiting Sentencing		
	09/09/2015	Awaiting Sentencing		
	09/04/2015	Awaiting Formal Arraignment		
	07/29/2015	Awaiting Plea Court		
	07/22/2015	Awaiting Filing of Information		

Complaint Date: 05/01/2015

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>
Plea Court	09/09/2015	9:00 am	Courtroom 1	Senior Judge James G. Arner	Scheduled
Sentencing	10/21/2015	9:00 am	Courtroom 1	Senior Judge James G. Arner	Scheduled
Gagnon II Hearing	10/13/2016	9:30 am	Courtroom 1	Senior Judge James G. Arner	Cancelled
Gagnon II Hearing	10/18/2018	9:30 am	Courtroom 1	Senior Judge James G. Arner	Scheduled
Gagnon II Hearing	09/26/2019	9:30 am	Courtroom 1	Senior Judge James G. Arner	Scheduled

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>
02/11/2025	County Correctional Facility	Clarion County Prison		Yes

DEFENDANT INFORMATION

Date Of Birth: 01/14/1960 City/State/Zip: Shippensburg, PA 16254

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Smith, David Wayne

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BAIL INFORMATION

Smith, David Wayne

Nebbia Status: None

Bail Action	Date	Bail Type	Originating Court	Percentage	Amount
Set	07/21/2015	ROR	Magisterial District Court		\$0.00

CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
6	6	M1	75 § 3802 §§ C**	DUI: Highest Rte of Alc (BAC .16+) 2nd Off	03/08/2015	T 649892-5

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

Waived for Court (Lower Court)

Defendant Was Present

Lower Court Disposition

07/21/2015

Not Final

Proceed to Court

Defendant Was Not Present

Information Filed

09/04/2015

Not Final

Guilty Plea

Plea Court

09/09/2015

Final Disposition

6 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off

Guilty Plea

M1 75 § 3802 §§ C**

Arner, James G.

10/21/2015

IPP

Min of 5.00 Years

Max of 5.00 Years

Other

Sentence shall include 180 days of house arrest with SCRAM monitoring, followed by 4 years and 6 months of probation.

Defendant shall pay the cost of prosecution and supervision fee.

Defendant shall pay \$300 to the Clerk of Courts pursuant to Act 198.

Defendant shall attend the Victim Impact Panel and pay the cost.

Defendant shall pay restitution.

Defendant shall not consume any alcoholic beverages or illegal drugs.

Defendant shall complete intensive outpatient drug and alcohol treatment based on the assessment.

Defendant shall perform 50 hours of community service.

Arner, James G.

10/18/2018

39 Days

Confinement

Min of 39.00 Days

Max of 39.00 Days

Other

Defendant shall complete any and all recommendations of Drug and Alcohol and Behavioral Health.

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DISPOSITION SENTENCING/PENALTIES

Disposition

Case Event

Sequence/Description

Sentencing Judge

Sentence/Diversion Program Type

Sentence Conditions

IPP

Disposition Date

Offense Disposition

Sentence Date

Incarceration/Diversionary Period

Final Disposition

Grade Section

Credit For Time Served

Start Date

Sentence shall include 180 days of house arrest with SCRAM monitoring, followed by 4 years and 6 months of probation.

Defendant shall pay the cost of prosecution and supervision fee.

Defendant shall pay \$300 to the Clerk of Courts pursuant to Act 198.

Defendant shall attend the Victim Impact Panel and pay the cost.

Defendant shall pay restitution.

Defendant shall not consume any alcoholic beverages or illegal drugs.

Defendant shall complete intensive outpatient drug and alcohol treatment based on the assessment.

Defendant shall perform 50 hours of community service.

Arner, James G.

09/26/2019

81 Days

Confinement

Min of 81.00 Days

Max of 81.00 Days

Other

The intermediate punishment sentence previously imposed is not being revoked.

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COMMONWEALTH INFORMATION

Name: Clarion County District Attorney's
Office
District Attorney

Supreme Court No:

Address:

Name: Mark Todd Aaron
District Attorney

Supreme Court No: 072738

Phone Number(s):

814-226-4423 (Phone)
814-226-8455 (Office)
814-849-2828 (Office)

Address:

Clarion Co Da's Office
502 Liberty St
Clarion, PA 16214-1113

ATTORNEY INFORMATION

Name: Blair Harry Hindman
Private

Supreme Court No: 081503

Rep. Status: Active

Phone Number(s):

814-226-5297 (Phone)
814-226-5297 (Office)

Address:

415 Wood St
Clarion, PA 16214

Representing: Smith, David Wayne

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/21/2015		Schill, Timothy P.
	Bail Set - Smith, David Wayne		
1	07/22/2015		Court of Common Pleas - Clarion County
	Original Papers Received from Lower Court		
1	07/27/2015		Rosen, Charles Tucker
	Waiver of Arraignment		
1	07/28/2015		Court of Common Pleas - Clarion County
	Criminal Conference - Preliminary Held		
1	08/31/2015		Court of Common Pleas - Clarion County
	Notice of Plea Court on September 9, 2015 @ 9:00am		
1	09/02/2015	09/02/2015	Arner, James G.
	Transportation Order		
	Clarion County Prison		
	09/08/2015	Prothy's Box	

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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>
Clarion County Sheriff 09/08/2015	Prothy's Box		
1 Information Filed	09/04/2015		Aaron, Mark T.
1 Guilty Plea	09/09/2015		Arner, James G.
1 Explanation of Rights and Procedures When Entering a Guilty Plea	09/10/2015		Rosen, Charles Tucker Smith, David Wayne
1 Disposition Filed Aaron, Mark Todd 09/16/2015	Prothy's Box	09/09/2015	Arner, James G.
Clarion County Adult Probation 09/16/2015	Prothy's Box		
Rosen, Charles Tucker 09/16/2015	First Class		
1 DL-21 to be Prepared	09/17/2015		Himes, Jeffrey A.
1 Notice of Sentencing on October 21, 2015 @ 9:00am	10/09/2015		Court of Common Pleas - Clarion County
1 Transportation Order Clarion County Prison 10/13/2015	Prothy's Box	10/13/2015	Arner, James G.
Clarion County Sheriff 10/13/2015	Prothy's Box		
1 Transportation Order	10/15/2015	10/15/2015	Arner, James G.

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Clarion County Prison 10/15/2015	Prothy's Box		
Clarion County Sheriff 10/15/2015	Prothy's Box		
2 10/15/2015			Court of Common Pleas - Clarion County Notice of Sentencing on October 21, 2015 @ 9:00am
1 10/20/2015			Court of Common Pleas - Clarion County Certified / Sentencing 10-21-15 / Served
1 10/21/2015			Arner, James G. Order - Sentence/Penalty Imposed
1 10/22/2015			Rosen, Charles Tucker Smith, David Wayne Post Sentence Rights - Rights After Sentencing
1 10/27/2015		10/21/2015	Arner, James G. Sentence/Penalty Order Filed
Aaron, Mark Todd 10/27/2015	Prothy's Box		
Clarion County Adult Probation 10/27/2015	Prothy's Box		
Rosen, Charles Tucker 10/27/2015	First Class		
1 10/29/2015			Himes, Jeffrey A. DL-21 was prepared
1 10/30/2015			Unknown Filer DL-21 Sent to PennDOT
1 11/02/2015			Clarion County Adult Probation Unit Guideline Sentence Form

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2	11/02/2015		Court of Common Pleas - Clarion County

Penalty Assessed

1	12/30/2015		Court of Common Pleas - Clarion County
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Entry of Civil Judgment (1302 CD 2015)

2	12/30/2015		Court of Common Pleas - Clarion County
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Entry of Civil Judgment (1302 CD 2015)

1	01/07/2016		Court of Common Pleas - Clarion County
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Penalty Satisfied

1	09/27/2016	09/22/2016	Clarion County Adult Probation Unit
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Violation Notice & Gagnon I Waiver Filed

1	09/28/2016	09/28/2016	Arner, James G.
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Order Scheduling Gagnon II Hearing on October 13, 2016 @ 9:30am

Aaron, Mark Todd

09/28/2016 Fax

Clarion County Adult Probation

09/28/2016 Fax

Clarion County Prison

09/28/2016 Fax

Clarion County Public Defender

09/28/2016 Fax

Clarion County Sheriff

09/28/2016 Fax

2	10/04/2016		Arner, James G.
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Order Cancelling Gagnon II Hearing for October 13, 2016

Clarion County Adult Probation

10/04/2016 Prothy's Box

Clarion County District Attorney's Office

10/04/2016 Prothy's Box

Clarion County Public Defender

10/04/2016 Prothy's Box

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1	10/10/2018	10/04/2018	Clarion County Adult Probation Unit

Violation Notice & Gagnon I Waiver Filed

1	10/11/2018	10/10/2018	Arner, James G.
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Order Scheduling Gagnon II Hearing on October 18, 2018 @ 9:30am

Aaron, Mark Todd

10/11/2018 Fax

Clarion County Adult Probation

10/11/2018 Fax

Clarion County Prison

10/11/2018 Fax

Clarion County Public Defender

10/11/2018 Fax

Clarion County Sheriff

10/11/2018 Fax

Rosen, Charles Tucker

10/11/2018 Fax

1	10/18/2018		Arner, James G.
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Order - Sentence/Penalty Imposed

2	10/18/2018	10/18/2018	Arner, James G.
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Order of Discharge

Aaron, Mark Todd

10/19/2018 Prothy's Box

Clarion County Adult Probation

10/19/2018 Prothy's Box

Clarion County Prison

10/19/2018 Prothy's Box

Clarion County Public Defender

10/19/2018 Prothy's Box

Rosen, Charles Tucker

10/19/2018 First Class

1	10/25/2018	10/18/2018	Arner, James G.
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Gagnon II Sentence/Penalty Order Filed

Clarion County Adult Probation

10/25/2018 Prothy's Box

Clarion County District Attorney's Office

10/25/2018 Prothy's Box

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Clarion County Prison 10/25/2018	Prothy's Box		
Clarion County Public Defender 10/25/2018	Prothy's Box		
1 Violation Notice & Gagnon I Waiver Filed	03/14/2019		Clarion County Adult Probation Unit
1 Motion to Delay Scheduling Gagnon II Hearing	03/19/2019		Aaron, Mark Todd
1 Order Granting Motion to Delay Scheduling Gagnon II Hearing Clarion County Adult Probation 03/21/2019 Mail Slot	03/20/2019	03/20/2019	Arner, James G.
Clarion County Prison 03/21/2019 Mail Slot			
Clarion County Sheriff 03/21/2019 Mail Slot			
Commonwealth of Pennsylvania 03/21/2019 Attorney Box			
Smith, David Wayne 03/21/2019 Mail Slot			
1 Praecipe for Entry of Appearance	06/07/2019		Hindman, Blair Harry
2 Order Scheduling Gagnon II Hearing on September 26, 2019 @ 9:30am Aaron, Mark Todd 09/19/2019 Fax	09/19/2019	09/18/2019	Arner, James G.
Clarion County Adult Probation 09/19/2019 Fax			
Clarion County Prison 09/19/2019 Fax			
Clarion County Sheriff 09/19/2019 Fax			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Hindman, Blair Harry 09/19/2019	Fax		
1 Order - Sentence/Penalty Imposed	09/26/2019		Arner, James G.
2 Order of Discharge Aaron, Mark Todd 09/27/2019	Prothy's Box	09/26/2019	Arner, James G.
Clarion County Adult Probation 09/27/2019	Prothy's Box		
Clarion County Prison 09/27/2019	Prothy's Box		
Hindman, Blair Harry 09/27/2019	Prothy's Box		
1 Gagnon II Sentence/Penalty Order Filed Aaron, Mark Todd 10/01/2019	Prothy's Box	09/26/2019	Arner, James G.
Clarion County Adult Probation 10/01/2019	Prothy's Box		
Clarion County Prison 10/01/2019	Prothy's Box		
Hindman, Blair Harry 10/01/2019	Prothy's Box		

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CASE FINANCIAL INFORMATION

Last Payment Date: 11/06/2020

Total of Last Payment: -\$90.71

Smith, David Wayne Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Costs/Fees					
Costs of Transportation (Act 143-2006)	\$47.00	(\$47.00)	\$0.00	\$0.00	\$0.00
ATJ	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00
Automation Fee (Clarion)	\$5.00	(\$5.00)	\$0.00	\$0.00	\$0.00
Booking Center Fee (Clarion)	\$100.00	(\$100.00)	\$0.00	\$0.00	\$0.00
CJES	\$2.25	(\$2.25)	\$0.00	\$0.00	\$0.00
Clerk Fee (Clarion)	\$128.00	(\$128.00)	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$10.15	(\$10.15)	\$0.00	\$0.00	\$0.00
County Court Cost (Act 204 of 1976)	\$33.00	(\$33.00)	\$0.00	\$0.00	\$0.00
Crime Lab User Fee - State Police	\$134.00	(\$134.00)	\$0.00	\$0.00	\$0.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	(\$35.00)	\$0.00	\$0.00	\$0.00
Emergency Medical Services (Act 45 of 1985)	\$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
PA Transportation Trust Surcharge	\$150.00	(\$150.00)	\$0.00	\$0.00	\$0.00
Postage (Clarion)	\$6.00	(\$6.00)	\$0.00	\$0.00	\$0.00
State Court Costs (Act 204 of 1976)	\$11.85	(\$11.85)	\$0.00	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$150.00	(\$150.00)	\$0.00	\$0.00	\$0.00
Substance Abuse Education (Act 198 of 2002)	\$150.00	(\$150.00)	\$0.00	\$0.00	\$0.00
Victim Witness Service (Act 111 of 1998)	\$25.00	(\$25.00)	\$0.00	\$0.00	\$0.00
Victim/Witness Coordinator (Clarion)	\$100.00	(\$100.00)	\$0.00	\$0.00	\$0.00
Clarion Hospital (Clarion)	\$11.00	(\$11.00)	\$0.00	\$0.00	\$0.00
OSP (Clarion/State) (Act 35 of 1991)	\$1,050.00	(\$1,050.00)	\$0.00	\$0.00	\$0.00
OSP (Clarion/State) (Act 35 of 1991)	\$1,050.00	(\$1,050.00)	\$0.00	\$0.00	\$0.00
Judgment/Satisfaction (Clarion)	\$34.75	(\$34.75)	\$0.00	\$0.00	\$0.00
Costs of Transportation (Act 143-2006)	\$47.14	(\$47.14)	\$0.00	\$0.00	\$0.00
Costs of Transportation (Act 143-2006)	\$43.57	(\$43.57)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$3,371.96	(\$3,371.96)	\$0.00	\$0.00	\$0.00

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Smith, David Wayne Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Fines					
Title 75, DUI (Motor License Fund)	\$750.00	(\$750.00)	\$0.00	\$0.00	\$0.00
Title 75, DUI (Motor License Fund)	\$750.00	(\$750.00)	\$0.00	\$0.00	\$0.00
Fines Totals:	\$1,500.00	(\$1,500.00)	\$0.00	\$0.00	\$0.00
Grand Totals:	\$4,871.96	(\$4,871.96)	\$0.00	\$0.00	\$0.00

** - Indicates assessment is subrogated