

# 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

Judge Assigned: Date Filed: 07/22/2015 Initiation Date: 05/01/2015  
OTN: T 649892-5 LOTN: Originating Docket No: MJ-18302-CR-0000049-2015  
Initial Issuing Authority: Timothy P. Schill Final Issuing Authority: Timothy P. Schill  
Arresting Agency: Marienville PSP Arresting Officer: Lesko, James E. Jr.  
Complaint/Citation No.: C071190132 Incident Number:  
County: Clarion Township: Farmington 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	10/21/2015	Sentenced/Penalty Imposed	05/01/2015
	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</u>	<u>Confinement</u>	<u>Destination</u>	<u>Confinement</u>	<u>Still in</u>
<u>Known As Of</u>	<u>Type</u>	<u>Location</u>	<u>Reason</u>	<u>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

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	07/21/2015	ROR	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>
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

<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	07/21/2015	Not Final
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#### Proceed to Court

Defendant Was Not Present

Information Filed	09/04/2015	Not Final
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#### 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

#### 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

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.

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

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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 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
Entry of Civil Judgment (1302 CD 2015)			
2	12/30/2015		Court of Common Pleas - Clarion County
Entry of Civil Judgment (1302 CD 2015)			
1	01/07/2016		Court of Common Pleas - Clarion County
Penalty Satisfied			
1	09/27/2016	09/22/2016	Clarion County Adult Probation Unit
Violation Notice & Gagnon I Waiver Filed			
1	09/28/2016	09/28/2016	Arner, James G.
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.
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.
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.
Order - Sentence/Penalty Imposed			
2	10/18/2018	10/18/2018	Arner, James G.
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.
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>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 Prison			
10/25/2018	Prothy's Box		
Clarion County Public Defender			
10/25/2018	Prothy's Box		
-----			
1	03/14/2019		Clarion County Adult Probation Unit
Violation Notice & Gagnon I Waiver Filed			
-----			
1	03/19/2019		Aaron, Mark Todd
Motion to Delay Scheduling Gagnon II Hearing			
-----			
1	03/20/2019	03/20/2019	Arner, James G.
Order Granting Motion to Delay Scheduling Gagnon II Hearing			
Clarion County Adult Probation			
03/21/2019	Mail Slot		
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	06/07/2019		Hindman, Blair Harry
Praecipe for Entry of Appearance			
-----			
2	09/19/2019	09/18/2019	Arner, James G.
Order Scheduling Gagnon II Hearing on September 26, 2019 @ 9:30am			
Aaron, Mark Todd			
09/19/2019	Fax		
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	09/26/2019		Arner, James G.
Order - Sentence/Penalty Imposed			
2	09/26/2019	09/26/2019	Arner, James G.
Order of Discharge			
Aaron, Mark Todd 09/27/2019	Prothy's Box		
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	09/30/2019	09/26/2019	Arner, James G.
Gagnon II Sentence/Penalty Order Filed			
Aaron, Mark Todd 10/01/2019	Prothy's Box		
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>
<b>Costs/Fees</b>					
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>
<b>Fines</b>					
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