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County: Clarion

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

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David Wayne Smith

CASE INFORMATION

<u>Judge Assigned:</u> <u>Date Filed:</u> 07/22/2015 <u>Initiation Date:</u> 05/01/2015

OTN: T 649892-5 LOTN: Originating Docket No: MJ-18302-CR-000049-2015

Initial Issuing Authority:Timothy P. SchillFinal Issuing Authority:Timothy P. SchillArresting Agency:Marienville PSPArresting Officer:Lesko, James E. Jr.

Complaint/Citation No.: C071190132 <u>Incident Number:</u>

<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

Township: Farmington Township

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

Case Calendar	Schedule	<u>Start</u>	Room	<u>Judge Name</u>	<u>Schedule</u>
Event Type	Start Date	<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

Confinement
Known As OfConfinement
TypeDestination
LocationConfinement
ReasonStill in
Reason02/11/2025County Correctional FacilityClarion County PrisonYes

DEFENDANT INFORMATION

<u>Date Of Birth:</u> 01/14/1960 <u>City/State/Zip:</u> Shippenville, PA 16254

CASE PARTICIPANTS

Participant Type Name

Defendant Smith, David Wayne

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BAIL INFORMATION

Smith, David Wayne Nebbia Status: None

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

CHARGES

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

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

IPP

Plea Court 09/09/2015 **Final Disposition**

Guilty Plea M1 6 / DUI: Highest Rte of Alc (BAC .16+) 2nd Off 75 § 3802 §§ C**

Arner, James G. 10/21/2015

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

<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>

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

District Attorney

Clarion County District Attorney's

Office

Name: E

Blair Harry Hindman

Active

Private

Supreme Court No: 081503

ATTORNEY INFORMATION

Rep. Status:

Phone Number(s):

814-226-5297 (Phone)

814-226-5297 (Office)

Representing: Smith, David Wayne

Mark Todd Aaron <u>Address:</u>

District Attorney 415 Wood St

Supreme Court No: 072738 Clarion, PA 16214

Phone Number(s):

Supreme Court No:

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

Address:

Name:

Address:

Name:

Clarion Co Da's Office 502 Liberty St

Clarion, PA 16214-1113

		ENTRIES	
Sequence Number	CP Filed Date	Document Date	Filed By
1	07/21/2015		Schill, Timothy P.
Bail Set - Smith, David	d Wayne — — — — — —		
1	07/22/2015		Court of Common Pleas - Clarion County
Original Papers Rece	ived from Lower Court		
1	07/27/2015		Rosen, Charles Tucker
Waiver of Arraignmen	t — — — — — —		
1	07/28/2015		Court of Common Pleas - Clarion County
Criminal Conference -	Preliminary Held		
1	08/31/2015		Court of Common Pleas - Clarion
Notice of Plea Court o	on September 9, 2015 @ 9	:00am	County
Transportation Order			
Clarion County Prison			
09/08/2015	Prothy's Box		

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		ENTRIES				
Sequence Number	CP Filed Date	<u>Document Date</u>	<u>Filed By</u>			
Service To		Service By				
<u>Issue Date</u>	Service Type	Status Date	Service Status			
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	09/10/2015		Rosen, Charles Tucker Smith, David Wayne			
Explanation of Rights an	d Procedures When E	Intering a Guilty Plea				
1 Disposition Filed	09/16/2015	09/09/2015	Arner, James G.			
Aaron, Mark Todd 09/16/2015	Prothy's Box					
Clarion County Adult Proba 09/16/2015	Prothy's Box					
Rosen, Charles Tucker	1 Totally & Box					
09/16/2015	First Class					
1 DL-21 to be Prepared	09/17/2015		Himes, Jeffrey A.			
— — — · — —						
1	10/09/2015		Court of Common Pleas - Clarion County			
Notice of Sentencing on	October 21, 2015 @ 9	9:00am	•			
1 Transportation Order	10/13/2015	10/13/2015	Arner, James G.			
Clarion County Prison 10/13/2015	Prothy's Box					
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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Service Status

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Issue Date Service Type Status Date

Notice of Sentencing on October 21, 2015 @ 9:00am

Clarion County Prison

Prothy's Box 10/15/2015

Clarion County Sheriff

10/15/2015 Prothy's Box

10/15/2015 Court of Common Pleas - Clarion

County

10/20/2015 Court of Common Pleas - Clarion

County Certified / Sentencing 10-21-15 / Served

10/21/2015 Arner, James G. Order - Sentence/Penalty Imposed

10/22/2015 Rosen, Charles Tucker Smith, David Wayne

Post Sentence Rights - Rights After Sentencing

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

Prothy's Box 10/27/2015

Rosen, Charles Tucker

10/27/2015 First Class

10/29/2015

Himes, Jeffrey A.

DL-21 was prepared

10/30/2015 Unknown Filer

DL-21 Sent to PennDOT

11/02/2015 Clarion County Adult Probation Unit

Guideline Sentence Form

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Sequence Number	CP Filed Date	Document Date	<u>Filed By</u>
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 Judgmer	nt (1302 CD 2015)		
2	12/30/2015		Court of Common Pleas - Clarion County
Entry of Civil Judgmer	nt (1302 CD 2015)		
1	01/07/2016		Court of Common Pleas - Clarion County
Penalty Satisfied			
1 Violation Notice & Gag	09/27/2016 gnon I Waiver Filed	09/22/2016	Clarion County Adult Probation Unit
1			
Order Scheduling Gag Aaron, Mark Todd	gnon II Hearing on October	13, 2016 @ 9:30am	
09/28/2016	Fax		
Clarion County Adult Pro			
09/28/2016	Fax		
Clarion County Prison 09/28/2016	Fax		
Clarion County Public De			
09/28/2016	Fax		
Clarion County Sheriff			
09/28/2016	Fax		
	10/04/2016		- — — — — — — — — — — — — — — — — — — —
Order Cancelling Gag Clarion County Adult Pro	non II Hearing for October	13, 2016	
10/04/2016	Prothy's Box		
Clarion County District A 10/04/2016	ttorney's Office Prothy's Box		
Clarion County Public De			

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Sequence Number	CP Filed Date	Document Date	Filed By
1	10/10/2018	10/04/2018	Clarion County Adult Probation Unit
Violation Notice & Gagr	non I Waiver Filed		
	40/44/0040		
1 Order Scheduling Cogn	10/11/2018	10/10/2018	Arner, James G.
Aaron, Mark Todd	on II Hearing on October	16, 2016 @ 9.50aiii	
10/11/2018	Fax		
Clarion County Adult Prob	ation		
10/11/2018	Fax		
Clarion County Prison			
10/11/2018	Fax		
Clarion County Public Def	ender		
10/11/2018	Fax		
Clarion County Sheriff			
10/11/2018	Fax		
Rosen, Charles Tucker			
10/11/2018	Fax		
	- — — — — — — 10/18/2018		
Order - Sentence/Penal			Arrier, dames C.
	- — — — — —		
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 Prob			
10/19/2018	Prothy's Box		
Clarion County Prison			
10/19/2018	Prothy's Box		
Clarion County Public Def			
10/19/2018	Prothy's Box		
Rosen, Charles Tucker	F: O.		
10/19/2018	First Class		
1	10/25/2018	10/18/2018	Arner, James G.
Gagnon II Sentence/Pe	nalty Order Filed		
Clarion County Adult Prob			
10/25/2018	Prothy's Box		
Clarion County District Atte	•		
10/25/2018	Prothy's Box		

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Clarion County Prison

Prothy's Box 10/25/2018

Clarion County Public Defender

10/25/2018 Prothy's Box

03/14/2019 Clarion County Adult Probation Unit

Violation Notice & Gagnon I Waiver Filed

Aaron, Mark Todd Motion to Delay Scheduling Gagnon II Hearing

03/20/2019

03/20/2019 Arner, James G.

Order Granting Motion to Delay Scheduling Gagnon II Hearing

03/19/2019

Clarion County Adult Probation

03/21/2019 Mail Slot

Clarion County Prison

Mail Slot 03/21/2019

Clarion County Sheriff

Mail Slot 03/21/2019 Commonwealth of Pennsylvania

Attorney Box 03/21/2019

Smith, David Wayne

Mail Slot 03/21/2019

06/07/2019 Hindman, Blair Harry

Praecipe for Entry of Appearance

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

Fax 09/19/2019

Clarion County Sheriff

09/19/2019 Fax

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Hindman, Blair Harry

10/01/2019

Prothy's Box

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ENTRIES Sequence Number **CP Filed Date Document Date** Filed By Service To Service By Issue Date Service Type Status Date Service Status Hindman, Blair Harry 09/19/2019 Fax 09/26/2019 Arner, James G. Order - Sentence/Penalty Imposed 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 Prothy's Box 09/27/2019 Hindman, Blair Harry 09/27/2019 Prothy's Box 09/30/2019 09/26/2019 Arner, James G. Gagnon II Sentence/Penalty Order Filed Aaron, Mark Todd Prothy's Box 10/01/2019 Clarion County Adult Probation 10/01/2019 Prothy's Box Clarion County Prison Prothy's Box 10/01/2019

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CASE FINANCIAL INFORMATION

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Last Payment Date: 11/06/2020	CASE FINANCIA		Tota	al of Last Payment: -\$	90.71
Smith, David Wayne Defendant	Assessment	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<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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CASE FINANCIAL INFORMATION						
Smith, David Wayne Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	Non Monetary Payments	<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

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