

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0009325-2021

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Richard P. Nicoletti

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CASE INFORMATION

Cross Court Docket Nos: 2228 EDA 2023, 64 EM 2023

Judge Assigned: Covington, Roxanne

Date Filed: 11/10/2021

Initiation Date: 11/10/2021

OTN: U 208032-6

LOTN:

Originating Docket No: MC-51-CR-0013697-2020

Initial Issuing Authority: The Honorable Sharon Williams-Losier

Final Issuing Authority:

Arresting Agency: Philadelphia District Attorney's Office

Arresting Officer: Affiant

Complaint/Citation No.: 2071000118-0013697

Incident Number: 2071000118

County: Philadelphia

Township: Philadelphia City

Case Local Number Type(s)

Case Local Number(s)

Originating Docket Number

MC-51-CR-0013696-2020

Originating Document Number

2071000118-0013696

Originating Docket Number

MC-51-CR-0013697-2020

Originating Document Number

2071000118-0013697

Originating Docket Number

MC-51-CR-0013698-2020

District Control Number

2071000118

Originating Document Number

2071000118-0013698

STATUS INFORMATION

Case Status: Active

Status Date

Processing Status

Arrest Date: 07/22/2020

09/01/2023

Completed

08/31/2023

Awaiting Transfer Disposition

08/23/2023

Awaiting Interlocutory Appeal Decision

08/14/2023

Awaiting Transfer Disposition

05/08/2023

Completed

11/04/2022

Awaiting Trial Readiness Conference

04/19/2022

Awaiting Trial Readiness Conference

11/19/2021

Awaiting Scheduling Conference

11/10/2021

Awaiting Filing of Information

Complaint Date: 07/22/2020

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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	11/19/2021	11:00 am	1104	Trial Commissioner Susan Carmody	Scheduled
Formal Arraignment	11/23/2021	11:00 am	1104	Trial Commissioner Cynthia S. Gregg	Moved
Scheduling Conference	12/09/2021	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Status	03/15/2022	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Motions Hearing	04/19/2022	9:00 am	905	Judge Zachary C. Shaffer	Continued
Motions Hearing	05/03/2022	9:00 am	905	Judge Zachary C. Shaffer	Continued
Motions Hearing	05/13/2022	9:00 am	905	Judge Zachary C. Shaffer	Continued
Motions Hearing	05/16/2022	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Trial Readiness Conference	04/26/2023	10:00 am	905	Judge Zachary C. Shaffer	Moved
Trial Readiness Conference	04/26/2023	10:00 am	801	Judge Monica Gibbs	Scheduled
Jury Trial	05/01/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Motions Hearing	05/01/2023	9:00 am	905	Judge Zachary C. Shaffer	Scheduled
Jury Trial	05/01/2023	9:30 am	905	Judge Zachary C. Shaffer	Moved
Jury Trial	05/01/2023	9:30 am	801	Judge Monica Gibbs	Scheduled
Jury Trial	05/02/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Jury Trial	05/03/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Jury Trial	05/04/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Jury Trial	05/05/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Jury Trial	05/08/2023	9:00 am	1002	Judge Roxanne Covington	Scheduled
Status	07/13/2023	9:00 am	1002	Judge Roxanne Covington	Scheduled
Motions Hearing	08/09/2023	9:00 am	1002	Judge Roxanne Covington	Scheduled
Jury Trial	10/16/2023	9:00 am	1002	Judge Roxanne Covington	Continued
Jury Trial	04/15/2024	9:00 am	1102	Judge Roxanne Covington	Continued
Jury Trial	04/15/2024	9:00 am	1002	Judge Natasha Taylor-Smith	Moved
Jury Trial	04/15/2024	9:00 am	1002	Judge Roxanne Covington	Moved
Jury Trial	07/12/2024	9:00 am	1102	Judge Roxanne Covington	Scheduled

DEFENDANT INFORMATION

Date Of Birth: 05/16/1985 City/State/Zip: Philadelphia, PA 19154

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Nicoletti, Richard P.

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BAIL INFORMATION

Nicoletti, Richard P.

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	07/22/2020	ROR	Municipal 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	M2	18 § 2701 §§ A	Simple Assault	06/01/2020	U 208032-6
2	2	M2	18 § 2705	Recklessly Endangering Another Person	06/01/2020	U 208032-6
3	3	M2	18 § 5301 §§ 1	Offl Oppression-Arrest Search Etc	06/01/2020	U 208032-6
4	1	M1	18 § 907 §§ A	Poss Instrument Of Crime W/Int	06/01/2020	U 208032-6
5	2	M2	18 § 2701 §§ A	Simple Assault	06/01/2020	U 208032-6
6	3	M2	18 § 2705	Recklessly Endangering Another Person	06/01/2020	U 208032-6
7	4	M2	18 § 5301 §§ 1	Offl Oppression-Arrest Search Etc	06/01/2020	U 208032-6
8	1	M2	18 § 2701 §§ A	Simple Assault	06/01/2020	U 208032-6
9	2	M2	18 § 2705	Recklessly Endangering Another Person	06/01/2020	U 208032-6
10	3	M2	18 § 5301 §§ 1	Offl Oppression-Arrest Search Etc	06/01/2020	U 208032-6

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>		

Lower Court Proceeding (generic)

Preliminary Hearing	11/09/2021	Not Final
1 / Simple Assault	Held for Court	M2 18 § 2701 §§ A
2 / Recklessly Endangering Another Person	Held for Court	M2 18 § 2705
3 / Offl Oppression-Arrest Search Etc	Held for Court	M2 18 § 5301 §§ 1
4 / Poss Instrument Of Crime W/Int	Held for Court	M1 18 § 907 §§ A
5 / Simple Assault	Held for Court	M2 18 § 2701 §§ A
6 / Recklessly Endangering Another Person	Held for Court	M2 18 § 2705
7 / Offl Oppression-Arrest Search Etc	Held for Court	M2 18 § 5301 §§ 1
8 / Simple Assault	Held for Court	M2 18 § 2701 §§ A
9 / Recklessly Endangering Another Person	Held for Court	M2 18 § 2705
10 / Offl Oppression-Arrest Search Etc	Held for Court	M2 18 § 5301 §§ 1

Proceed to Court

Defendant Was Not Present

Information Filed	11/15/2021	Not Final
1 / Simple Assault	Proceed to Court	M2 18 § 2701 §§ A

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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

2 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
3 / Off'l Oppression-Arrest Search Etc	Proceed to Court	M2	18 § 5301 §§ 1
4 / Poss Instrument Of Crime W/Int	Proceed to Court	M1	18 § 907 §§ A
5 / Simple Assault	Proceed to Court	M2	18 § 2701 §§ A
6 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
7 / Off'l Oppression-Arrest Search Etc	Proceed to Court	M2	18 § 5301 §§ 1
8 / Simple Assault	Proceed to Court	M2	18 § 2701 §§ A
9 / Recklessly Endangering Another Person	Proceed to Court	M2	18 § 2705
10 / Off'l Oppression-Arrest Search Etc	Proceed to Court	M2	18 § 5301 §§ 1

Mistrial - Hung Jury

Defendant Was Present

Jury Trial

05/08/2023

Final Disposition

1 / Simple Assault	Mistrial - Hung Jury	M2	18 § 2701 §§ A
2 / Recklessly Endangering Another Person	Mistrial - Hung Jury	M2	18 § 2705
3 / Off'l Oppression-Arrest Search Etc	Mistrial - Hung Jury	M2	18 § 5301 §§ 1
4 / Poss Instrument Of Crime W/Int	Mistrial - Hung Jury	M1	18 § 907 §§ A
5 / Simple Assault	Mistrial - Hung Jury	M2	18 § 2701 §§ A
6 / Recklessly Endangering Another Person	Mistrial - Hung Jury	M2	18 § 2705
7 / Off'l Oppression-Arrest Search Etc	Mistrial - Hung Jury	M2	18 § 5301 §§ 1
8 / Simple Assault	Mistrial - Hung Jury	M2	18 § 2701 §§ A
9 / Recklessly Endangering Another Person	Mistrial - Hung Jury	M2	18 § 2705
10 / Off'l Oppression-Arrest Search Etc	Mistrial - Hung Jury	M2	18 § 5301 §§ 1

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COMMONWEALTH INFORMATION

Name: Philadelphia County District Attorney's
Office
Prosecutor

Supreme Court No:

Phone Number(s):
215-686-8000 (Phone)

Address:
3 South Penn Square
Philadelphia, PA 19107

ATTORNEY INFORMATION

Name: Charles Matthew Gibbs
Private

Supreme Court No: 310023

Rep. Status: Active

Phone Number(s):
215-981-0999 (Phone)
215-495-9084 (Other)

Address:
1845 Walnut St
19th Floor
Philadelphia, PA 19103

Representing: Nicoletti, Richard P.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	11/10/2021		Court of Common Pleas - Philadelphia County
Held for Court			
4	11/10/2021		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	11/15/2021		Krasner, Larry
Information Filed			
2	11/16/2021		Perri, Fortunato N. Jr.
Waiver of Appearance at Arraignment			
3	11/19/2021		Court of Common Pleas - Philadelphia County
Hearing Notice			
2	12/09/2021		Shaffer, Zachary C.
Defense Request For Continuance For Further Investigation			
Commonwealth of Pennsylvania			
12/09/2021	Oral Service in Court		
Perri, Fortunato N. Jr.			
12/09/2021	Oral Service in Court		

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4	12/09/2021		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	03/09/2022		Perri, Fortunato N. Jr.
Motion to Quash			
1	03/15/2022		Shaffer, Zachary C.
Scheduling Conference Held			
4	03/15/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	03/15/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
6	03/15/2022		Court of Common Pleas - Philadelphia County Shaffer, Zachary C.
Short Certificate			
CP Attorney Attachments			
03/15/2022			
7	03/15/2022		Shaffer, Zachary C.
Counsel Attached for Trial			
1	03/16/2022		Shaffer, Zachary C.
Scheduling Order - Jury			
1	04/06/2022		Philadelphia County District Attorney's Office
Brief in Opposition to Motion to Quash			
2	04/19/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			

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4	04/19/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
8	04/19/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
9	04/19/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
10	04/19/2022		Shaffer, Zachary C.
Motion Taken under Advisement			
1	05/02/2022		Philadelphia County District Attorney's Office
Memorandum of Law			
4	05/03/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	05/03/2022		Shaffer, Zachary C.
Motion Taken under Advisement			
4	05/13/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	05/13/2022		Shaffer, Zachary C.
Order Granting Motion for Continuance			
1	05/16/2022		Shaffer, Zachary C.
Order Granting Miscellaneous Motion			
2	05/16/2022		Court of Common Pleas - Philadelphia County
Short Certificate			

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2	11/04/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	11/04/2022		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	04/20/2023		Philadelphia County District Attorney's Office
Motion in Limine			
1	04/26/2023		Gibbs, Monica
Order Granting Motion for Continuance			
2	04/26/2023		Gibbs, Charles Matthew
Entry of Appearance			
1	04/28/2023		Philadelphia County District Attorney's Office
Motion in Limine			
2	04/28/2023		Philadelphia County District Attorney's Office
Motion in Limine			
1	05/01/2023		Gibbs, Monica
Order Granting Motion for Continuance			
2	05/01/2023		Gibbs, Charles Matthew
Motion in Limine			
5	05/01/2023		Gibbs, Charles Matthew
Memorandum of Law			
7	05/01/2023		Shaffer, Zachary C.
Order Granting Motion for Continuance			
Commonwealth of Pennsylvania			
05/01/2023			
Gibbs, Charles Matthew			
05/01/2023			

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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>
8	05/01/2023		Covington, Roxanne
Order Granting Miscellaneous Motion			
9	05/01/2023		Covington, Roxanne
Jury Selection			
10	05/01/2023		Covington, Roxanne
Court Request For Continuance Trial in Progress			
3	05/02/2023		Covington, Roxanne
Order Granting Motion in Limine			
4	05/02/2023		Covington, Roxanne
Sealed Entry			
5	05/02/2023		Covington, Roxanne
Order Granting Motion to Seal Document(s)			
6	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			
7	05/02/2023		Covington, Roxanne
Jury Selection			
8	05/02/2023		Covington, Roxanne
Jury Selection Completed			
9	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			
10	05/02/2023		Covington, Roxanne
Order Granting Motion in Limine			
11	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			

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12	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			
15	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			
16	05/02/2023		Covington, Roxanne
Order Denying Motion in Limine			
17	05/02/2023		Covington, Roxanne
Order Granting Motion in Limine			
18	05/02/2023		Covington, Roxanne
Jury Sworn			
19	05/02/2023		Covington, Roxanne
Defendant Arraigned and Notice of Rights and Procedures Explained			
20	05/02/2023		Covington, Roxanne
Proposed Preliminary Instructions			
21	05/02/2023		Covington, Roxanne
Opening Statements			
22	05/02/2023		Covington, Roxanne
Testimony Begins			
23	05/02/2023		Covington, Roxanne
Court Request For Continuance Trial in Progress			
1	05/03/2023		Gibbs, Charles Matthew
Motion in Limine			
2	05/03/2023		Covington, Roxanne
Testimony Resumes			
3	05/03/2023		Covington, Roxanne
Order Granting Motion in Limine			

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4	05/03/2023		Covington, Roxanne
Prosecution Rests			
5	05/03/2023		Covington, Roxanne
Order Denying Motion for Judgment of Acquittal			
6	05/03/2023		Covington, Roxanne
Testimony Begins			
9	05/03/2023		Covington, Roxanne
Defense Rests			
10	05/03/2023		Covington, Roxanne
Testimony Concludes			
11	05/03/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
12	05/03/2023		Covington, Roxanne
Court Request For Continuance Trial in Progress			
1	05/04/2023		Covington, Roxanne
Closing Arguments			
2	05/04/2023		Covington, Roxanne
Jury Charged			
3	05/04/2023		Covington, Roxanne
Jury Retires for Deliberation			
4	05/04/2023		Covington, Roxanne
Question from Jury			
5	05/04/2023		Covington, Roxanne
Question from Jury			
6	05/04/2023		Covington, Roxanne
Court Request For Continuance Trial in Progress			

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7	05/04/2023		Covington, Roxanne
Order Denying Motion for Judgment of Acquittal			
3	05/05/2023		Covington, Roxanne
Order Excusing Juror			
4	05/05/2023		Covington, Roxanne
Jury Deliberation Resumes			
5	05/05/2023		Covington, Roxanne
Question from Jury			
6	05/05/2023		Covington, Roxanne
Order Granting Miscellaneous Motion			
9	05/05/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
10	05/05/2023		Covington, Roxanne
Court Request For Continuance Trial in Progress			
1	05/08/2023		Covington, Roxanne
Jury Deliberation Resumes			
2	05/08/2023		Covington, Roxanne
Question from Jury			
3	05/08/2023		Covington, Roxanne
Question from Jury			
4	05/08/2023		Covington, Roxanne
Mistrial - Hung Jury			
7	05/08/2023		Court of Common Pleas - Philadelphia County Covington, Roxanne
Order -- Trial Disposition			

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8	05/08/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	07/13/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
6	07/13/2023		Covington, Roxanne
Status Listing			
1	08/01/2023		Philadelphia County District Attorney's Office
Motion in Limine			
2	08/01/2023		Philadelphia County District Attorney's Office
Motion in Limine			
3	08/01/2023		Gibbs, Charles Matthew
Motion for Change of Venue/Venire			
4	08/01/2023		Philadelphia County District Attorney's Office
Motion in Limine			
1	08/09/2023		Covington, Roxanne
Order Denying Motion for Reconsideration			
2	08/09/2023		Covington, Roxanne
Order Denying Motion in Limine			
3	08/09/2023		Covington, Roxanne
Order Denying Motion in Limine			
4	08/09/2023		Covington, Roxanne
Order Granting Motion in Limine			
5	08/09/2023		Covington, Roxanne
Order Granting Motion in Limine			

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6	08/09/2023		Covington, Roxanne
Order Denying Motion in Limine			
7	08/09/2023		Covington, Roxanne
Order Denying Motion in Limine			
8	08/09/2023		Covington, Roxanne
Order Denying Motion for Reconsideration			
1	08/14/2023		Covington, Roxanne
Order Granting Motion for Change of Venue/Venire			
2	08/14/2023		Court of Common Pleas - Philadelphia County
Corrective Docket Entry			
3	08/14/2023	08/09/2023	Covington, Roxanne
Motion Granting a Change of Venue or Change of Venire Pa.R.Crim.P.Rule 584			
1	08/15/2023		Philadelphia County District Attorney's Office
Motion to Reconsider			
1	08/18/2023		Philadelphia County District Attorney's Office
Motion to Reconsider			
2	08/18/2023		Philadelphia County District Attorney's Office
Motion to Reconsider			
1	08/22/2023		Philadelphia County District Attorney's Office
Motion in Limine			
1	08/23/2023		Philadelphia County District Attorney's Office
Interlocutory Appeal to the Superior Court			

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1	08/28/2023		Supreme Court of Pennsylvania - Eastern District
Order Granting Application for Change of Venue			
1	08/31/2023		Covington, Roxanne
Order Granting Motion for Change of Venue/Venire			
1	09/01/2023		Court of Common Pleas - Philadelphia County
Transferred to CP-12-22-Crim			
1	09/05/2023		Superior Court of Pennsylvania - Eastern District
Docketing Statement from Superior Court			
1	09/06/2023		Covington, Roxanne
Order Issued Pursant to Pa.R.A.P. 1925(b)			
1	09/14/2023		Philadelphia County District Attorney's Office
Statement of Matters Complained on Appeal			
1	09/21/2023		Supreme Court of Pennsylvania - Eastern District
Supreme Court Order			
1	10/10/2023		Covington, Roxanne
Opinion			
1	10/12/2023		Court of Common Pleas - Philadelphia County
Appeal Docket Entries and Served			
2	10/12/2023		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
1	10/17/2023		Covington, Roxanne
Status Listing			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0009325-2021

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Richard P. Nicoletti

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
3	12/14/2023		Court of Common Pleas - Philadelphia County
Hearing Notice			
1	02/12/2024		Superior Court of Pennsylvania - Eastern District
Superior Court Order			
1	04/02/2024		Court of Common Pleas - Philadelphia County
Trial Court Exhibits			
2	04/02/2024		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
3	04/05/2024		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	04/15/2024		Covington, Roxanne
Status Listing			

CASE FINANCIAL INFORMATION

Last Payment Date: 08/03/2023

Total of Last Payment: -\$12.50

Nicoletti, Richard P. Defendant	Assessment	Payments	Adjustments	Non Monetary Payments	Balance
Costs/Fees					
Motion Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Motion Filing Fee (Philadelphia)	\$12.50	\$0.00	\$0.00	\$0.00	\$12.50
Costs/Fees Totals:	\$62.50	(\$50.00)	\$0.00	\$0.00	\$12.50
Grand Totals:	\$62.50	(\$50.00)	\$0.00	\$0.00	\$12.50

** - Indicates assessment is subrogated