

COURT OF COMMON PLEAS OF WESTMORELAND COUNTY

DOCKET

Docket Number: CP-65-CR-0004178-2017

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

John Thomas Sweeney

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CASE INFORMATION

Judge Assigned: Bilik-DeFazio, Meagan Date Filed: 09/22/2017 Initiation Date: 07/24/2017
OTN: T 951179-5 LOTN: Originating Docket No: MJ-10104-CR-0000319-2017
Initial Issuing Authority: Yackopec Cheryl J. Peck Final Issuing Authority: Yackopec Cheryl J. Peck
Arresting Agency: Pennsylvania Office of Attorney General Arresting Officer: Kelly, Regis M.
Complaint/Incident #: 63328
Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Closed</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	<u>07/24/2017</u>
		12/21/2018	Sentenced/Penalty Imposed		
		09/06/2018	Awaiting Sentencing		
		07/31/2018	Awaiting PSI Completion		
		07/31/2018	Awaiting Sentencing		
		10/06/2017	Awaiting Waiver		
		10/06/2017	Awaiting Arraignment		
		10/06/2017	Awaiting Formal Arraignment		
		09/22/2017	Awaiting Filing of Information		

Complaint Date: 07/24/2017

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	11/08/2017	8:30 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Cancelled
Call of the Criminal List	03/23/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Cancelled
Trial	04/02/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Moved
Trial	04/09/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Continued
Call of the Criminal List	05/22/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Scheduled
Trial	06/04/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Cancelled
Omnibus Pre-Trial Motion Hearing	07/31/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Scheduled
Sentencing	10/29/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Cancelled
Sentencing	12/21/2018	9:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	Moved
Sentencing	12/21/2018	10:00 am	Courtroom 3	Judge Meagan Bilik-DeFazio	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>
12/21/2018	County Jail	Westmoreland County Prison		Yes

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DEFENDANT INFORMATION

Date Of Birth: 10/30/1942 City/State/Zip: Sutersville, PA 15083

Alias Name

Sweeney, John T.

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Sweeney, John Thomas
Probation Officer	Hamm, Wynn C.

BAIL INFORMATION

Sweeney, John Thomas **Nebbia Status: None**

<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Percentage</u>	<u>Amount</u>	<u>Bail Posting Status</u>	<u>Posting Date</u>
Set	07/24/2017	Unsecured		\$50,000.00		
Change Non-Monetary Conditions	09/20/2017	Unsecured		\$50,000.00		
Change Non-Monetary Conditions	08/01/2018	Unsecured		\$50,000.00		
Bond Terminated	01/24/2019	Unsecured		\$50,000.00		

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	2	M1	18 § 3126 §§A6	Indec Assl-Over 18/Under 14	01/01/1991	T 951179-5
9001	1	F1	18 § 3123 §§5	IDSI Victim Less Than 16 Yo	01/01/1991	T 951179-5

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 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	09/20/2017	Not Final		
9,001 / IDSI Victim Less Than 16 Yo	Waived for Court (Lower Court)	F1	18 § 3123 §§ 5	
Proceed to Court				
Information Filed	10/06/2017	Not Final		
9,001 / IDSI Victim Less Than 16 Yo	Proceed to Court	F1	18 § 3123 §§ 5	
Guilty Plea - Non-Negotiated				
Omnibus Pre-Trial Motion Hearing	07/31/2018	Final Disposition		

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<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>			
1 / Indec Assl-Over 18/Under 14 Bilik-DeFazio, Meagan Confinement	Guilty Plea - Non-Negotiated 12/21/2018 Min of 11.00 Months 15.00 Days Max of 5.00 Years Other	M1	18 § 3126 §§ A6 12/21/2018
9,001 / IDSI Victim Less Than 16 Yo Replaced by 18 § 3126 §§ A6, Indec Assl-Over 18/Under 14 Bilik-DeFazio, Meagan	Charge Changed 12/21/2018	F1	18 § 3123 §§ 5

COMMONWEALTH INFORMATION

Name: Daniel Jacob Dye
District Attorney

Supreme Court No: 205638

Phone Number(s): 717-787-6346 (Phone)

Address:
Pa Ofc Of Attorney General
16TH Fl Strawberry Sq
Harrisburg, PA 17120

ATTORNEY INFORMATION

Name: Francis Robert Murrman
Private

Supreme Court No: 050039

Rep. Status: Active

Phone Number(s):
724-837-7535 (Phone)
724-837-7535 (Other)

Address:
3 N Maple Ave Fl 2
Greensburg, PA 15601-2503

Representing: Sweeney, John Thomas

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/24/2017		Peck, Yackopec Cheryl J.
Bail Set - Sweeney, John Thomas			
1	07/25/2017		Court of Common Pleas - Westmoreland County
Pre-Trial Notice			
1	09/20/2017		Peck, Yackopec Cheryl J.
Order Granting Motion for Modification of Bail - Sweeney, John Thomas			

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1	09/22/2017		Court of Common Pleas - Westmoreland County
Original Papers Received from Lower Court			
1	10/04/2017		Murrman, Francis Robert
Entry of Appearance F Murman enters an appearance			
2	10/04/2017		Murrman, Francis Robert
Appearance and Waiver of Arraignment The actor waives an arraignment, enters a plea of not guilty and requests jury trial.			
3	10/04/2017		Murrman, Francis Robert
Entry of Appearance			
4	10/04/2017		Murrman, Francis Robert
Appearance and Waiver of Arraignment The actor waives an arraignment, enters a plea of not guilty and requests jury trial.-Received two original			
1	10/06/2017		Dye, Daniel Jacob
Entry of Appearance			
2	10/06/2017		Attorney General of Pennsylvania
Information Filed			
1	12/06/2017		Murrman, Francis Robert
Omnibus Pre-Trial Motion Count I- Motion to Quash Information for Violation of the Applicable Statute of Limitations; Count II- Motion to Strike the Attorney General's Prosecution of the Case Based upon Lack of Jurisdiction; Count III- Motion for a Bill of Particulars			
1	12/22/2017		Dye, Daniel Jacob
Commonwealth's Answer to Defendant's Omnibus Pretrial Motion			

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1	01/02/2018		Bilik-DeFazio, Meagan
Order Granting Motion to Seal			
The Commonwealth of Pa.'s answer to the defendant's Omnibus Pretrial motion is hereby SEALED and shall not be disseminated publicly in light of the temporary stay of the order of the Supervising Judge of the Fortieth Statewide Investigating Grand Jury, that granted the Commonwealth's motion to unseal his opinion issued on Nov. 20, 2017. The attorneys for the Commonwealth shall promptly advise the Court when the issue has been resolved by the Supreme Court of Pa.			
1	02/26/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			
1	03/19/2018		Bilik-DeFazio, Meagan
Order Granting Motion for Continuance			
Continuance in the Call of the List case above is granted until the June Trial Term, time excludable.			
1	04/30/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			
1	05/01/2018		Dye, Daniel Jacob
Motion for Status Conference			
1	05/22/2018	05/21/2018	Bilik-DeFazio, Meagan
Order Vacating Order Granting Motion to Seal			
It is hereby ORDERED, ADJUDGED, and DECREED that this Courts Order dated 12/28/2017 is VACATED.			
1	06/29/2018	05/21/2018	Bilik-DeFazio, Meagan
Order Granting Motion for Continuance			
It is hereby ORDERED that the Defendant is excused from attending the Criminal Call on 05/22/2018. CA shall schedule a status conference in no less than 90 days. All time associated with this request shall not count against the Commonwealth.			
1	07/05/2018	05/30/2018	Bilik-DeFazio, Meagan
Order Granting Motion to Unseal Ominbus Pre-Trial Motion			
The Commonwealth of Pa.'s answer to the defendant 's omnibus pre-trial motion is hereby unsealed.			
1	07/10/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			

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1	07/31/2018		Bilik-DeFazio, Meagan
Guilty Plea - Non-Negotiated			
Sentence deferred; Megan's law assessment; Sentence deferred pending full presentence investigation by Westmoreland County; Omnibus pretrial motion withdrawn; Victim present; Post motion supplement executed; Megan's law colloquy supplement executed; Sex offender eval; Bond amended to permit actor to leave county upon approval of pretrial services for the purpose of finding new housing.			
2	07/31/2018		Bilik-DeFazio, Meagan
Order Granting Motion for Continuance			
A continuance granted for 90 days for sentencing by motion of defense; Exclude time			
3	07/31/2018		Bilik-DeFazio, Meagan
Pre-Sentence Investigation Ordered			
4	07/31/2018		Bilik-DeFazio, Meagan
Order of SOAB Assessment			
5	07/31/2018		Bilik-DeFazio, Meagan
Assessment/Sexual Offender Board/Megan's Law			
6	07/31/2018		Bilik-DeFazio, Meagan
Order withdrawing Omnibus Pre-Trial Motion			
Omnibus pretrial motion is withdrawn			
1	08/01/2018		Bilik-DeFazio, Meagan
Order Granting Motion for Modification of Bail - Sweeney, John Thomas			
1	08/06/2018		Westmoreland County Adult Probation Office
Change of Address			
1	09/18/2018		Westmoreland County Adult Probation Office
Change of Address			
1	10/10/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			

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1	10/19/2018		Bilik-DeFazio, Meagan
Order Granting Motion for Continuance			
It is hereby ORDERED that the sentencing hearing for 10/29/2018 is hereby CONTINUED. CA shall scheduled some time after the month of November 2018.			
1	11/26/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			
1	12/12/2018		Bilik-DeFazio, Meagan
Order Rescheduling Hearing			
It is hereby Ordered that the hrg be moved to 12/21/18 at 10:00AM.			
2	12/12/2018		Murrman, Francis Robert
Memorandum			
4	12/12/2018		Court of Common Pleas - Westmoreland County
Hearing Notice			
1	12/21/2018		Bilik-DeFazio, Meagan
Order - Sentence/Penalty Imposed			
Count 1: Incarceration at DOC for 11 1/2 months to 5 years, sentence to commence forthwith. Pay costs. SORNA registration, photo, fingerprint, DNA, palm print, etc.			
Acor to have no contact with victim or victim's family. Victim's family present for hearing. Actor to have no unsupervised contact with minors. Actor to comply with all sex offender conditions set forth by APO. Offender notification form executed. Def is NOT RRRRI eligible Def is to be transported to the DOC. Def waives any argument regarding applicability of Megan's Law registration obligations.			
2	12/21/2018		Bilik-DeFazio, Meagan
Order Classifying Defendant for Registration under Megan's Law			
1	12/24/2018		Court of Common Pleas - Westmoreland County
Penalty Assessed			
1	12/31/2018		Bilik-DeFazio, Meagan
Transcript of Proceedings Filed			
Sentencing proceedings heard December 21, 2018 before Judge Bilik-DeFazio. # 241-02			

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1	01/02/2019		Court of Common Pleas - Westmoreland County
Court Commitment State or County Correctional Institution			

1	01/24/2019		Bilik-DeFazio, Meagan
Bond Terminated - Sweeney, John Thomas			

PAYMENT PLAN SUMMARY

<u>Payment Plan No</u>	<u>Payment Plan Freq.</u>	<u>Next Due Date</u>	<u>Active</u>	<u>Overdue Amt</u>
<u>Responsible Participant</u>			<u>Suspended</u>	<u>Next Due Amt</u>
65-2019-P000000014	Monthly	03/28/2019	Yes	\$0.00
Sweeney, John Thomas			No	\$25.00
Payment Plan History:				
	<u>Receipt Date</u>	<u>Payor Name</u>	<u>Participant Role</u>	<u>Amount</u>
	01/16/2019	Payment WCP	Payor	\$25.00

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CASE FINANCIAL INFORMATION

Last Payment Date: 01/16/2019

Total of Last Payment: -\$25.00

Sweeney, John Thomas Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Copies (Westmoreland)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
ATJ	\$4.00	-\$4.00	\$0.00	\$0.00	\$0.00
Admin Fee (Westmoreland)	\$11.83	\$0.00	\$0.00	\$0.00	\$11.83
CJES	\$2.25	-\$2.25	\$0.00	\$0.00	\$0.00
Commonwealth Cost - HB627 (Act 167 of 1992)	\$10.35	\$0.00	\$0.00	\$0.00	\$10.35
County Court Cost (Act 204 of 1976)	\$33.60	\$0.00	\$0.00	\$0.00	\$33.60
Crime Victims Compensation (Act 96 of 1984)	\$10.00	-\$10.00	\$0.00	\$0.00	\$0.00
Crimes Commission Cost (Act 96 of 1984)	\$5.00	-\$5.00	\$0.00	\$0.00	\$0.00
DNA Detection Fund (Act 185-2004)	\$250.00	\$0.00	\$0.00	\$0.00	\$250.00
Domestic Violence Compensation (Act 44 of 1988)	\$10.00	\$0.00	\$0.00	\$0.00	\$10.00
JCPS	\$21.25	-\$3.75	\$0.00	\$0.00	\$17.50
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
LCP Fee (Westmoreland)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
State Court Costs (Act 204 of 1976)	\$12.05	\$0.00	\$0.00	\$0.00	\$12.05
Trial Fee (Westmoreland)	\$221.30	\$0.00	\$0.00	\$0.00	\$221.30
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
Costs/Fees Totals:	\$664.63	-\$35.00	\$0.00	\$0.00	\$629.63
Grand Totals:	\$664.63	-\$35.00	\$0.00	\$0.00	\$629.63

** - Indicates assessment is subrogated