

APPENDIX ATTACHED

SUPREME COURT OF PENNSYLVANIA ORDER	2 Pages
COMMONWEALTH COURT ORDER	1 Page
COURT OF COMMON PLEAS ORDER	2 Pages
COURT OF COMMON PLEAS CRIMINAL DOCKET SHEETS	23 Pages
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MOTION FOR LEAVE TO PROCEED IN FORMA PAUPERIS	6 Pages
CERTIFICATION OF PRISON ACCOUNT	4 Pages

IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

NOEL BROWN,

Appellant

: No. 60 MAP 2022

v.

COMMONWEALTH OF PENNSYLVANIA :
AND ERIC TICE, SUPERINTENDENT :
SCI-SOMERSET,

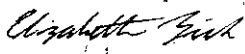
Appellees

ORDER

PER CURIAM

AND NOW, this 8th day of August, 2022, the "Petition for Specialized Review
Reconsideration En Banc" is **DENIED**.

A True Copy Elizabeth E. Zisk
As Of 08/08/2022..

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

NOEL BROWN, : No. 60 MAP 2022
Appellant :
v. :
COMMONWEALTH OF PENNSYLVANIA :
AND ERIC TICE, SUPERINTENDENT :
SCI-SOMERSET, :
Appellees :

Ref: 3848246 pg 23 of 52 for NOEL BROWN

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Noel Brown.

Petitioner

v.

Commonwealth of Pennsylvania
and Eric Tice, Superintendent SCI
Somerset,

Respondents

No. 26 M.D. 2022

PER CURIAM

ORDER

Now, March 24, 2022, upon consideration of the Petition for Writ of Habeas Corpus and Brief in Support of Petition for Review, and it appearing that Petitioner is challenging his conviction and sentencing at CP-64-CR-0000258-2016, a matter over which this Court lacks jurisdiction, *see* 42 Pa.C.S. § 761, this matter is transferred to the Court of Common Pleas of Wayne County for appropriate action. 42 Pa.C.S. § 5103.

The Prothonotary shall transmit this matter to the Clerk of Courts of the Court of Common Pleas of Wayne County.

Order Exit
03/25/2022

IN THE COURT OF COMMON PLEAS 22ND JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WAYNE

COMMONWEALTH OF
PENNSYLVANIA

VS.

NOEL BROWN,

Defendant

NO: 258-2016-CR

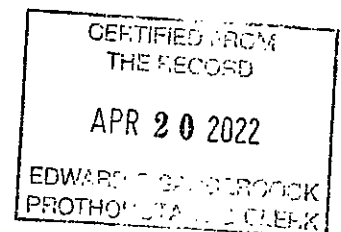
ORDER

AND NOW, to wit, this 20 day of April, 2022, following transfer of a Petition for Writ of Habeas Corpus from the Commonwealth Court of Pennsylvania, it is the **ORDER** of this Court that said Petition is **DISMISSED**¹.

BY THE COURT


JANINE EDWARDS
PRESIDENT JUDGE

cc: DA
Noel L. Brown, pro se



¹ Pursuant to 42 Pa.C.S. § 9542, habeas corpus relief is subsumed under the Post-Conviction Relief Act. Defendant filed an initial PCRA petition that was dismissed without a hearing on July 1, 2019; the Superior Court affirmed the dismissal. Treating this Petition as a second Petition for relief under the PCRA, this Petition must be dismissed for a lack of jurisdiction due to not being timely filed. This second Petition was filed in the Commonwealth Court on January 10, 2022, beyond the one year after judgment became final and Defendant has failed to assert an exception under 42 Pa.C.S. § 9545(b).

IN THE COURT OF COMMON PLEAS 22ND JUDICIAL DISTRICT
COMMONWEALTH OF PENNSYLVANIA
COUNTY OF WAYNE

COMMONWEALTH OF
PENNSYLVANIA

VS.

NOEL BROWN,
Defendant

NO: 258-2016-CR

ORDER

AND NOW, to wit, this 19 day of May, 2022, upon consideration of Defendant's Motion for Reconsideration Pursuant to Court Error, it is the ORDER of this Court that said Motion is DENIED.¹

BY THE COURT

JANINE EDWARDS
PRESIDENT JUDGE

cc: DA
Noel L. Brown, pro se

CERTIFIED FROM
THE RECORD

MAY 20 2022

EDWARD G SANDERCOCK
PROTHONOTARY & CLERK

¹ A conviction becomes final at the conclusion of direct review, including discretionary review in the Supreme Court of the United States and the Supreme Court of Pennsylvania. Whitney v. Horn, 280 F.3d 240, 251(3d. Cir. 2002). Defendant appealed his sentence to the Superior Court and the judgment was affirmed on October 23, 2017. The Supreme Court of Pennsylvania denied Defendant's request to appeal *nunc pro tunc* on March 27, 2018. This Court does not see an appeal of that finding to the Supreme Court of the United States. Thus, Defendant's conviction became final in the year 2018. Defendant's Petition for Habeas Corpus was filed with the Commonwealth Court on January 10, 2022, beyond one year after his conviction became final, and Defendant has failed to assert an exception under 42 Pa.C.S. § 9545(b).

COURT OF COMMON PLEAS OF WAYNE COUNTY

DOCKET



CERTIFIED FROM
THE RECORD

FEB 15 2017

EDWARD G SANDERCOCK
PROTHONOTARY & CLERK

Docket Number: CP-64-CR-0000258-2016

CRIMINAL DOCKET

Court Case

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v.
Noel L Brown

CASE INFORMATION

Judge Assigned: OTN: X 032260-4 LOTN: X 032260-4 Date Filed: 07/20/2016 Initiation Date: 06/30/2016
Initial Issuing Authority: Ronald Edwards Originating Docket No: MJ-22304-CR-0000041-2016
Arresting Agency: PSP - Honesdale Final Issuing Authority: Ronald Edwards
Complaint/Incident #: PA2016 37284 Arresting Officer: Palmer, Sharon L.
Case Local Number Type(s): Case Local Number(s):

STATUS INFORMATION

Case Status:	Status Date	Processing Status	Arrest Date:
Closed	02/13/2017	Awaiting Appellate Court Decision	06/30/2016
	02/03/2017	Sentenced/Penalty Imposed	
	02/03/2017	Awaiting PSI	
	02/03/2017	Awaiting Sentencing	
	11/08/2016	Awaiting PSI Completion	
	11/08/2016	Awaiting Sentencing	
	11/08/2016	Awaiting Trial	
	11/07/2016	Awaiting Formal Arraignment	
	10/31/2016	Awaiting Trial	
	07/20/2016	Awaiting Formal Arraignment	
	07/20/2016	Awaiting Filing of Information	

Complaint Date: 06/30/2016

CALENDAR EVENTS

Case Calendar Event Type	Schedule Start Date	Start Time	Room	Judge Name	Schedule Status
Formal Arraignment	08/10/2016	9:00 am			Scheduled

CONFINEMENT INFORMATION

Confinement Known As Of	Confinement Type	Destination Location	Confinement Reason	Still in Custody
06/30/2016	County Correctional Facility	Wayne County Prison		Yes

DEFENDANT INFORMATION

Date Of Birth: 12/03/1974 City/State/Zip: Honesdale, PA 18431

Alias Name
Brown, Noel Lee

CASE PARTICIPANTS

Participant Type	Name
Defendant	Brown, Noel L. (Pro Se)

CPCMS 9082

Printed: 02/15/2017

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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Docket Number: CP-64-CR-0000258-2016

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BAIL INFORMATION

Brown, Noel L.

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	06/30/2016	Monetary		\$30,000.00		
Increase Bail Amount	07/06/2016	Monetary		\$100,000.00		

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	1	F2	18 § 2904 §§A	Interference W/Custody Of Children	06/29/2016	X 032260-4
2	2	F2	18 § 6312 §§C	Dissem Photo/Film of Child Sex Acts	06/29/2016	X 032260-4
3	3	F3	18 § 6301 §§A1ii	Corruption Of Minors - Defendant Age 18 or Above	06/29/2016	X 032260-4
4	4	M3	18 § 6310.1 §§A	Sell/Furnish Liquor Etc Minor	06/29/2016	X 032260-4
5	5	F1	18 § 3011 §§B	Trafficking in Minors	06/29/2016	X 032260-4
6	6	F2	18 § 2902 §§B2	Unlawful Restraint of Minor/Not Parent - Involuntary Servitude	06/29/2016	X 032260-4

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>		

Held for Court (Lower Court)

Defendant Was Present

Lower Court Disposition	07/18/2016	Not Final
1 / Interference W/Custody Of Children	Held for Court (Lower Court)	F2 18 § 2904 §§ A
2 / Dissem Photo/Film of Child Sex Acts	Held for Court (Lower Court)	F2 18 § 6312 §§ C
3 / Corruption Of Minors - Defendant Age 18 or Above	Held for Court (Lower Court)	F3 18 § 6301 §§ A1ii
4 / Sell/Furnish Liquor Etc Minor	Held for Court (Lower Court)	M3 18 § 6310.1 §§ A
5 / Trafficking in Minors	Held for Court (Lower Court)	F1 18 § 3011 §§ B
6 / Unlawful Restraint of Minor/Not Parent - Involuntary Servitude	Held for Court (Lower Court)	F2 18 § 2902 §§ B2

Proceed to Court

Information Filed	08/09/2016	Not Final
1 / Interference W/Custody Of Children	Held for Court (Lower Court)	F2 18 § 2904 §§ A
2 / Dissem Photo/Film of Child Sex Acts	Held for Court (Lower Court)	F2 18 § 6312 §§ C
3 / Corruption Of Minors - Defendant Age 18 or Above	Held for Court (Lower Court)	F3 18 § 6301 §§ A1ii
4 / Sell/Furnish Liquor Etc Minor	Held for Court (Lower Court)	M3 18 § 6310.1 §§ A

CPCMS 9082

Printed: 02/15/2017

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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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>	
<u>Sentence Conditions</u>			

5 / Trafficking in Minors	Held for Court (Lower Court)	F1	18 § 3011 §§ B
6 / Unlawful Restraint of Minor/Not Parent - Involuntary Servitude	Held for Court (Lower Court)	F2	18 § 2902 §§ B2

Added by Information

Amended Information Filed	11/07/2016	Not Final	
1 / Interference W/Custody Of Children	Held for Court (Lower Court)	F2	18 § 2904 §§ A
2 / Dissem Photo/Film of Child Sex Acts	Held for Court (Lower Court)	F2	18 § 6312 §§ C
3 / Corruption Of Minors - Defendant Age 18 or Above	Held for Court (Lower Court)	F3	18 § 6301 §§ A1ii
4 / Sell/Furnish Liquor Etc Minor	Held for Court (Lower Court)	M3	18 § 6310.1 §§ A
5 / Trafficking in Minors	Held for Court (Lower Court)	F1	18 § 3011 §§ B
6 / Unlawful Restraint of Minor/Not Parent - Involuntary Servitude	Dismissed by Information	F2	18 § 2902 §§ B2

Guilty

Trial	11/08/2016	Final Disposition	
1 / Interference W/Custody Of Children	Guilty	F2	18 § 2904 §§ A
Hamill, Raymond L.	02/03/2017		
Confinement	Min of 15.00 Months		
	Max of 36.00 Months		
	Other		

Submit to DNA sample and pay \$250.00 for the cost

You shall comply with all the Adam Walsh requirements as a registered sex offender.

Defendant has credit time from June 30, 2016 to February 3, 2017

The defendant is a Tier 111 offender who is subject to a Lifetime registration period. Therefore, the defendant shall be transported by the Sheriff's Dept. to the Dimmick Booking Center for processing by the Adult Probation & Parole Dept. per initial registration (42 Ps.C.S.A. 9799.19)b.1). The Sheriff will maintain custody and transport the inmate to the Wayne County Correctional Facility upon completion.

2 / Dissem Photo/Film of Child Sex Acts	Guilty	F2	18 § 6312 §§ C
Hamill, Raymond L.	02/03/2017		
Confinement	Min of 36.00 Months		
	Max of 72.00 Months		
	Other		

3 / Corruption Of Minors - Defendant Age 18 or Above	Guilty	F3	18 § 6301 §§ A1ii
Hamill, Raymond L.	02/03/2017		

CPCMS 9082

Printed: 02/15/2017

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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Docket Number: CP-64-CR-0000258-2016

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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

Confinement

Min of 9.00 Months
Max of 36.00 Months
Other

4 / Sell/Furnish Liquor Etc Minor

Guilty

M3

18 § 6310.1 §§ A

Hamill, Raymond L.

02/03/2017

No Further Penalty

5 / Trafficking in Minors

Guilty

F1

18 § 3011 §§ B

Hamill, Raymond L.

02/03/2017

Confinement

Min of 120.00 Months
Max of 240.00 Months
Other

6 / Unlawful Restraint of Minor/Not Parent - Involuntary

Dismissed by Information

F2

18 § 2902 §§ B2

Servitude

Hamill, Raymond L.

02/03/2017

The following Judge Ordered Conditions are imposed:

Condition

Amount owed: Not to exceed \$10,000.00

Amount paid to date:

Will be disbursed to: Victim counseling

Payment shall be made to: Wayne County Adult Probation Dept.

Payment is due immediately unless the court has established a payment plan in which case payments begin on: the 1st of the month until paid in full.

This restitution is imposed as (1) part of the sentence OR (2) a condition of probation.

LINKED SENTENCES:

Link 1

CP-64-CR-0000258-2016 - Seq. No. 2 (18§ 6312 §§ C) - Confinement is Consecutive to

CP-64-CR-0000258-2016 - Seq. No. 1 (18§ 2904 §§ A) - Confinement

Link 2

CP-64-CR-0000258-2016 - Seq. No. 3 (18§ 6301 §§ A1ii) - Confinement is Consecutive to

CP-64-CR-0000258-2016 - Seq. No. 2 (18§ 6312 §§ C) - Confinement

Link 3

CP-64-CR-0000258-2016 - Seq. No. 5 (18§ 3011 §§ B) - Confinement is Consecutive to

CP-64-CR-0000258-2016 - Seq. No. 3 (18§ 6301 §§ A1ii) - Confinement

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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COMMONWEALTH INFORMATION

Name: Wayne County District Attorney's
Office
District Attorney

Supreme Court No:

Phone Number(s):
570-253-4912 (Phone)

Address:

Wayne County Courthouse
925 Court Street
Honesdale, PA 18431

ATTORNEY INFORMATION

Name: Steven Erik Burlein
Standby - Court Appointed

Supreme Court No: 062652

Rep. Status: Active

Phone Number(s):
570-253-9667 (Phone)

Address:

307 11TH St
Honesdale, PA 18431-1947

Representing: Brown, Noel L.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/30/2016		Edwards, Ronald
Bail Set - Brown, Noel L.			
1	07/06/2016		Myers, Linus H.
Order Granting Motion for Modification of Bail - Brown, Noel L.			
1	07/20/2016		MDJ-22-3-04
Complaint Filed by DJ Edwards ***SCANNED***			
1	08/09/2016		Commonwealth of Pennsylvania
Information Filed ***SCANNED***			
1	08/10/2016		Brown, Noel L.
Request Notice ***SCANNED***			
2	08/10/2016		Brown, Noel L.
Motion to Dismiss ***SCANNED***			
3	08/10/2016		Brown, Noel L.
Motion for Statewide Investigating Grand Jury ***SCANNED***			

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	08/10/2016		Brown, Noel L.
Motion for Statewide Indicting Grand Jury ***SCANNED***			
1	08/11/2016		Hamill, Raymond L.
Arraignment Proceedings ***SCANNED***			
1	08/22/2016		Brown, Noel L.
Requesting An Issuance of Venue Transfer ***SCANNED***			
1	08/24/2016		Brown, Noel L.
Requesting For Appointment of Investigator ***SCANNED***			
2	08/24/2016		Brown, Noel L.
Requesting Suppression of Photo Copy Image of Myself ***SCANNED***			
3	08/24/2016		Brown, Noel L.
Letter from Defendant ***SCANNED***			
4	08/24/2016		Brown, Noel L.
Motion to Dismiss ***SCANNED***			
5	08/24/2016		Brown, Noel L.
Habeas Corpus Writ ***SCANNED***			
6	08/24/2016		Brown, Noel L.
Request for All Discovery ***SCANNED***			

COURT OF COMMON PLEAS OF WAYNE COUNTY

DOCKET



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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
7	08/24/2016		Brown, Noel L.
Motion for Statewide Investigating Grand Jury ***SCANNED***			
8	08/24/2016		Brown, Noel L.
Motion for Statewide Indiciting Grand Jury ***SCANNED***			
1	08/25/2016		Edwards, Janine
Bill of Particulars ***SCANNED***			
2	08/25/2016		Commonwealth of Pennsylvania
Commonwealth's Non-Seratim Response to Defendant's Omnibus Pretrial Motion ***SCANNED***			
1	08/31/2016		Brown, Noel L.
Request for Early Calender Court Date ***SCANNED***			
2	08/31/2016		Brown, Noel L.
Motion for Speedy Trial 30/30 ***SCANNED***			
1	09/02/2016		Hamill, Raymond L.
Order Dated September 1, 2016 argument and/or hearing on Defendant's Omnibus Motion (said motions being docketed separately from August 10, 2016 through August 31, 2016) shall occur on Monday, October 3, 2016, 2:00 p.m., Wayne County Courthouse, Honesdale, Pa. Served 9-7-16 EGS By the Court: Robert J. Conway, Senior Judge ***SCANNED***			
1	10/03/2016		Commonwealth of Pennsylvania
Commonwealth's Second Response to Defendant's Omnibus Pretrial Motions ***SCANNED***			

COURT OF COMMON PLEAS OF WAYNE COUNTY

DOCKET



Docket Number: CP-64-CR-0000258-2016

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ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
2	10/03/2016		Commonwealth of Pennsylvania
Certificate of Service			
***SCANNED**			

1	10/12/2016		Conway, Robert J.
Order			

Dated October 12, 2016 after Omnibus Hearing and upon consideration of briefs and the Preliminary Hearing Transcript it is the order of this court that: 1. Defendant's motion to dismiss-Denied 2. Defendants' motion for statewide investigating grand jury- Denied 3. Defendant's motion for statewide indicting grand jury -Denied 4. Defendant's motion for venue transfer-Denied 5. Defendant's omnibus pretrial motion for appointment of investigator -Denied 6. Defendant's omnibus pretrial motion for suppression of evidence-Denied 7. Defendant's omnibus pretrial motion for psychiatric examination-Denied 8. Defendant's motion to dismiss-Denied 9. Defendant's petition for a writ of habeas corpus-Denied 10. Defendant's request for discovery -Denied The commonwealth shall provide defendant with the report of the computers when it becomes available 11. Defendant's motion for statewide indicting grand jury-Denied 12. Defendant's request for early calendar court date-Denied 13. Defendant's motion for speedy trial-Denied

Served 10-13-16 LJC By the Court: Robert J. Conway, Senior Judge

SCANNED

Brown, Noel L.

10/13/2016 First Class

Wayne County District Attorney's Office

10/13/2016 Interoffice

1	10/17/2016		Brown, Noel L.
Subpoena Notice			
Trp. Ian Macmillan			
Trp. Tyler Waters			
Trp. Thomas OBrian			
Trp. Eric Fetterman			
SCANNED			

2	10/17/2016		Brown, Noel L.
Subpoena Notice			
Andrew P. and Verizon wireless			
SCANNED			

3	10/17/2016		Brown, Noel L.
Subpoena Notice			
District Attorney			
SCANNED			

CPCMS 9082

Printed: 02/15/2017

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
4	10/17/2016		Brown, Noel L.
Subpoena Notice Trp. Collins Trp. Robert Yeager Trp. Michael Brown Trp. Michael Sezercak Trp. David Ray ***SCANNED***			
5	10/17/2016		Brown, Noel L.
Subpoena Notice Camilo Sacer ***SCANNED***			
6	10/17/2016		Brown, Noel L.
Subpoena Notice Production of documents ***SCANNED***			
7	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Ms. Janine Edwards ***SCANNED***			
8	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Trp. Sharon Palmer ***SCANNED***			
9	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Trp. Sharon Palmer ***SCANNED***			
10	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Ms. Amaya Castro ***SCANNED***			

CPCMS 9082

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
11	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Judge Ronald Edwards ***SCANNED***			
12	10/17/2016		Brown, Noel L.
Criminal Complaint Affidavit Ms. Xochiguetzal Adme ***SCANNED***			
1	10/20/2016		Brown, Noel L.
Letter to Judge Conway ***SCANNED***			
1	10/26/2016		Brown, Noel L.
Criminal Complaint Affidavit ***SCANNED***			
1	10/31/2016		Hamill, Raymond L.
Order Dated October 27, 2016 the oral order of Judge Robert J. Conway appointing Steve Burlein as standby counsel for defendant issued on October 2, 2016 is reaffirmed Served 10-31-16 LS By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 10/31/2016 First Class Burlein, Steven Erik 10/31/2016 Attorney Box Wayne County District Attorney's Office 10/31/2016 Interoffice			
2	10/31/2016		Hamill, Raymond L.
Order for November 2016 Trial Term Dated October 31, 2016 proceed to jury selection on Monday, November 7, 2016 at 9:00 a.m., appear at 1:30 p.m. on November 4 for purposes of understanding any plea offers Served 11-2-16 LJC By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 11/02/2016 Interoffice Burlein, Steven Erik			

CPCMS 9082

Printed: 02/15/2017

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COURT OF COMMON PLEAS OF WAYNE COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
11/02/2016	Attorney Box		
Wayne County District Attorney's Office			
11/02/2016	Interoffice		
<hr/>			
1	11/02/2016		Hamill, Raymond L.
Order			
And now, to wit, this 2nd day of November, 2016, it is the Order of this Court that an argument and/or hearing on Defendant's Due Process Motion Shall occure on Friday, November 4, 2016 at 1:30 p.m. in the Wayne County Courthouse, Honesdale, Pa.			
 served 112-16 EGS			
By The Court: Raymond L. Hamill President Judge			
 Scanned			
Brown, Noel L.			
11/02/2016	Hand Delivered		
Burlein, Steven Erik			
11/02/2016	Attorney Box		
Commonwealth of Pennsylvania			
11/02/2016	Interoffice		
Wayne County Sheriff's Department			
11/02/2016	Interoffice		
<hr/>			
1	11/03/2016		Commonwealth of Pennsylvania
Motion in Limine (Commonwealth)			
Scanned			
<hr/>			
1	11/04/2016		Brown, Noel L.
Letter to Judge Hamill			
Scanned			
<hr/>			
2	11/04/2016		Brown, Noel L.
Request Notice			
Scanned			
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3	11/04/2016		Commonwealth of Pennsylvania
Commonwealth's Proposed Points for Charge ***Scanned***			
1	11/07/2016		Commonwealth of Pennsylvania
Order Granting Motion for Leave to Amend Information			
2	11/07/2016		Commonwealth of Pennsylvania
Amended Information ***SCANNED***			
3	11/07/2016		Hamill, Raymond L.
Jury Selection ***SCANNED***			
2	11/08/2016		Hamill, Raymond L.
Guilty			
3	11/08/2016		Hamill, Raymond L.
Order for Presentence Investigation Dated November 8, 2016 sentencing scheduled for Thursday, February 2, 2017 at 9:30 a.m., Courtroom No. 2 Wayne County Courthouse, Honesdale, Pa. Served by Court By the Court: Raymond L. Hamill, P.J. ***SCANNED***			
4	11/08/2016		Hamill, Raymond L.
Order Dated November 8, 2016 it is ordered, directed and decreed that the defendant shall be assessed by the sexual offender assessment board, it is ordered, directed and decreed that the said assessment shall be completed within 90 days from November 8, 2016, pursuant to 42 Pa.C.S. 9799.24 (d) Served by DA By the Court: Raymond L. Hamill, P.J. ***SCANNED***			
5	11/08/2016		Hamill, Raymond L.
Order Dated November 7, 2016 defendant's motion for acquittal is denied defendant's motion to continue jury trial to subpoena witnesses is denied Served 11-8-16 LJV By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L.			

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11/08/2016	Interoffice		
Burlein, Steven Erik			
11/08/2016	Attorney Box		
Wayne County District Attorney's Office			
11/08/2016	Interoffice		

1	11/09/2016		Brown, Noel L.
Motion for Relief			
SCANNED			

2	11/09/2016		Brown, Noel L.
Motion to Dismiss			
SCANNED			

3	11/09/2016		Brown, Noel L.
Motion to Offer Evidence			
SCANNED			

1	11/10/2016		Hamill, Raymond L.
Order			
Dated November 8, 2016	defendant's motion for a new trial is denied		
Served 11-10-16 LJC	By the Court: Raymond L. Hamill, P.J.		
SCANNED			
Brown, Noel L.			
11/10/2016	Interoffice		
Burlein, Steven Erik			
11/10/2016	Attorney Box		
Wayne County District Attorney's Office			
11/10/2016	Interoffice		

1	11/14/2016		Brown, Noel L.
Motion for Return of Property			
SCANNED			

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2	11/14/2016		Brown, Noel L.
Petition for Review ***SCANNED***			
1	11/17/2016		Court of Common Pleas - Wayne County
Notes of Testimony Omnibus Pre-Trial Motions Hearing October 3, 2016 ***SCANNED***			
2	11/17/2016		Court of Common Pleas - Wayne County
Notes of Testimony Preliminary Hearing July 18, 2016 ***SCANNED***			
1	11/21/2016		Hamill, Raymond L.
Order Dated November 21, 2016 defendant shall file an itemization of property claimed seized and serve on Commonwealth following receipt of the itemization of property, commonwealth shall file an answer to defendant's motion and list within 30 days Served 11-22-16 EGS By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 11/22/2016 Interoffice Wayne County District Attorney's Office 11/22/2016 Interoffice			
1	11/23/2016		Brown, Noel L.
Motion for a New Trial ***Scanned***			
1	11/25/2016		Brown, Noel L.
Motion for New Trial ***Scanned***			
2	11/25/2016		Brown, Noel L.
Criminal Complaint Affidavit ***Scanned***			

CPCMS 9082

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3	11/25/2016		Brown, Noel L.
Criminal Complaint Affidavit ***Scanned***			
1	11/30/2016		Brown, Noel L.
Motion for a New Trial ***Scanned***			
2	11/30/2016		Brown, Noel L.
Motion for Return of Property ***Scanned***			
1	12/05/2016		Hamill, Raymond L.
Order Dated December 5, 2016 defendant's motion for new trial is denied Served 12-6-16 EGS By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 12/06/2016 Interoffice Wayne County District Attorney's Office 12/06/2016 Interoffice			
1	12/12/2016		Brown, Noel L.
Motion for New Trial ***SCANNED***			
1	12/20/2016		Commonwealth of Pennsylvania
Commonwealth's Answer to Motion for Return of Property ***SCANNED***			
1	01/05/2017		Wayne County District Attorney's Office
Record of Service ***SCANNED***			
1	01/10/2017		Wayne County District Attorney's Office
Praecipe for Hearing Pursuant to 9799.24(e)(1) ***SCANNED***			

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1	01/11/2017		Hamill, Raymond L.
Order			
Dated January 11, 2017 hearing to be held on Friday, February 3, 2017 at 11:00 a.m., Courtroom #2, Wayne County Courthouse, Honesdale, Pa. purpose of hearing is to determine whether or not the defendant is a sexually violent predator			
Served 1-12-17 LJC By the Court: Raymond L. Hamill, P.J.			
Sexual offenders assessment board-mail			
SCANNED			
Brown, Noel L.			
01/12/2017 Interoffice			
Wayne County District Attorney's Office			
01/12/2017 Interoffice			
Wayne County Probation Department			
01/12/2017 Interoffice			

2	01/11/2017		Hamill, Raymond L.
Order			
Dated January 11, 2017 sentencing scheduled for February 2, 2017 is rescheduled for Friday, February 3, 2017 at 11:00 a.m., Wayne County Courthouse			
Served 1-12-17 LJC By the Court: Raymond L. Hamill, P.J.			
SOAB-mail			
SCANNED			
Brown, Noel L.			
01/12/2017 Interoffice			
Wayne County District Attorney's Office			
01/12/2017 Interoffice			
Wayne County Prison			
01/12/2017 Interoffice			
Wayne County Probation Department			
01/12/2017 Interoffice			
Wayne County Sheriff's Department			
01/12/2017 Interoffice			

1	01/17/2017		Brown, Noel L.
Motion for Relief Preliminary Objections to SOAB Assessment			
SCANNED			

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	01/18/2017		Hamill, Raymond L.
Order			
Dated January 18, 2017 defendant's motion for relief preliminary objections to SOAB Assessment is denied			
Served 1-19-17 LJC By the Court: Raymond L. Hamill, P.J.			
SCANNED			
Brown, Noel L.			
	01/19/2017	Interoffice	
Wayne County District Attorney's Office			
	01/19/2017	Interoffice	

1	01/23/2017		Brown, Noel L.
Motion for Relief Asking Judge to Recuse Himself			
SCANNED			

2	01/23/2017		Brown, Noel L.
Brief in Support of Defendant's Relief: Asking Judge to Recuse Himself			
SCANNED			

1	01/31/2017		Commonwealth of Pennsylvania
Commonwealth's Recommendation Regarding Restitution			
pursuant to 18 PA. C.S.A. 1106			
SCANNED			

2	02/03/2017		Hamill, Raymond L.
Order - Sentence/Penalty Imposed			

3	02/03/2017		Hamill, Raymond L.
Notification of Registration and Verification Requirements			
SCANNED			

1	02/06/2017		Brown, Noel L.
Reporter's Notes of Testimony Request			
SCANNED			

2	02/06/2017		Hamill, Raymond L.
Disposition Filed			

Printed: 02/15/2017

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
3	02/06/2017		Hamill, Raymond L.

Sentence

Dated February 3, 2017 CTS-1,2,3,4,5 CT-1 Interference with custody of children pay costs of pros make restit- victim counseling not to exceed \$10,000 at minimum monthly rate of \$100 beginning the 1st of each month incarceration in State Correctional Facility for 15 mnts to 36 months DNA sample & pay \$250 for cost comply with Adam Walsh requirements as a registered sex offender CT-2 Dissemination of photos/film of child sex aces incarceration in State Correctional Facility for 36 months to 72 months consecutive to CT-1 CT-3 Corruption of minors-related to sexual offenses incarceration in State Correctional Facility for 9 months to 36 months consecutive to CT-2 CT-4 Sell/furnish liquor, malt, brewed beverage to minors pay fine-\$1,000 CT-5 Trafficking in minors incarceration in State Correctional Facility for 120 months to 240 months consecutive to CT-3 is not RRRRI eligible credit time from June 30, 2016 to February 3, 2017 defendant is Tier 111 offender who is subject to a lifetime registration period. Defendant shall be transported by the Sheriff's Dept. to the Dimmick Booking Center for processing by the Adult Probation & Parole Dept. per initial registration Sheriff will maintain custody and transport the inmate to the Wayne County Correctional Facility upon completion

Served 2/7/17 EGS By the Court: Raymond L. Hamill, P.J.

A. Rodriguez-work release coord-in house box

SCANNED

Brown, Noel L.

02/07/2017 Interoffice

Burlein, Steven Erik

02/07/2017 Attorney Box

Wayne County District Attorney's Office

02/07/2017 Interoffice

Wayne County Prison

02/07/2017 Interoffice

Wayne County Probation Department

02/07/2017 Interoffice

Wayne County Sheriff's Department

02/07/2017 Interoffice

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
4	02/06/2017		Hamill, Raymond L.
Order			

Dated February 6, 2017 1. motion for relief filed November 9, 2016 is denied 2. motion to dismiss filed November 9, 2016 is denied 3. motion to offer evidence filed November 9, 2016 is denied 4. Motion for return of property filed November 14, 2016 is denied 5. petition for review filed November 14, 2016 is granted 6. motion for a new trial filed November 23, 2016 is denied 7. motion for a new trial filed November 25, 2016 is denied 8. motion for a new trial filed November 30, 2016 is denied 9. motion for a new trial filed December 12, 2016 is denied 10. motion for relief asking Judge to recuse himself filed January 23, 2017 is denied
Served 2-7-17 EGS By the Court: Raymond L. Hamill, P.J.

SCANNED

Brown, Noel L.

02/07/2017 Interoffice

Burlein, Steven Erik

02/07/2017 Attorney Box

Wayne County District Attorney's Office

02/07/2017 Interoffice

1	02/08/2017	Sandercock, Edward G.
Certificate of Costs #1		
SCANNED		

2	02/08/2017	Sandercock, Edward G.
Certificate of Costs #2		
SCANNED		

3	02/08/2017	Sandercock, Edward G.
Court Commitment State or County Correctional Institution		
SCANNED		

4	02/08/2017	Brown, Noel L.
Motion for Judgment of Acquittal		
SCANNED		

5	02/08/2017	Brown, Noel L.
Motion in Arrest of Judgment		
SCANNED		

Printed: 02/15/2017

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1	02/10/2017		Brown, Noel L.
Motion for Judgment of Acquittal ***SCANNED***			
2	02/10/2017		Brown, Noel L.
Motion in Arrest of Judgment ***SCANNED***			
3	02/10/2017		Brown, Noel L.
Motion for Acquittal ***SCANNED***			
4	02/10/2017		Wayne County Probation Department
Guideline Sentence Form ***SCANNED***			
5	02/10/2017		Hamill, Raymond L.
Order Dated February 10, 2017 upon consideration of defendant's motions, 1. motion for acquittal filed February 10, 2017 is denied 2. motion for judgment of acquittal filed February 10, 2017 is denied 3. motion in arrest of judgment filed February 10, 2017 is denied Served 2-10-17 LJC By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 02/10/2017 Interoffice Burlein, Steven Erik 02/10/2017 Attorney Box Wayne County District Attorney's Office 02/10/2017 Interoffice			
6	02/10/2017		Hamill, Raymond L.
Order Dated February 10, 2017 defendant's motion in arrest of judgment is denied Served 2-10-17 LJC By the Court: Raymond L. Hamill, P.J. ***SCANNED*** Brown, Noel L. 02/10/2017 Interoffice Burlein, Steven Erik 02/10/2017 Attorney Box Wayne County District Attorney's Office			

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02/10/2017	Interoffice		
<hr/>			
7	02/10/2017		Hamill, Raymond L.
Order			
Dated February 10, 2017 defendant's motion for judgment of acquittal is denied			
Served 2-10-17 LJC By the Court: Raymond L. Hamill, P.J.			
SCANNED			
Brown, Noel L.			
02/10/2017	Interoffice		
Burlein, Steven Erik			
02/10/2017	Attorney Box		
Wayne County District Attorney's Office			
02/10/2017	Interoffice		
<hr/>			
1	02/13/2017		Brown, Noel L.
Motion Judgment for Acquittal			
SCANNED			
<hr/>			
2	02/13/2017		Brown, Noel L.
Motion to Modify Sentence			
SCANNED			
<hr/>			
3	02/13/2017		Brown, Noel L.
Notice of Appeal Request			
SCANNED			
<hr/>			
4	02/13/2017		Brown, Noel L.
Motion to Return of Property			
SCANNED			
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CASE FINANCIAL INFORMATION

Last Payment Date: 11/08/2016

Total of Last Payment: -\$27.00

Brown, Noel L. Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Subpoenas (Wayne)	\$27.00	-\$27.00	\$0.00	\$0.00	\$0.00
ATJ	\$4.00	\$0.00	\$0.00	\$0.00	\$4.00
Amber Alert System (Act 153 of 2004)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Automation Fund (Wayne)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
CJES	\$2.25	\$0.00	\$0.00	\$0.00	\$2.25
Commonwealth Cost - HB627 (Act 167 of 1992)	\$20.50	\$0.00	\$0.00	\$0.00	\$20.50
Costs of Prosecution - CJEA	\$50.00	\$0.00	\$0.00	\$0.00	\$50.00
County Court Cost (Act 204 of 1976)	\$29.85	\$0.00	\$0.00	\$0.00	\$29.85
Courtroom Charge (Wayne)	\$4.00	\$0.00	\$0.00	\$0.00	\$4.00
Crime Victims Compensation (Act 96 of 1984)	\$35.00	\$0.00	\$0.00	\$0.00	\$35.00
DA - Felony (Wayne)	\$12.00	\$0.00	\$0.00	\$0.00	\$12.00
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
Firearm Education and Training Fund	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
JCPS	\$21.25	\$0.00	\$0.00	\$0.00	\$21.25
Judicial Computer Project	\$8.00	\$0.00	\$0.00	\$0.00	\$8.00
Sheriff (Wayne)	\$5.00	\$0.00	\$0.00	\$0.00	\$5.00
State Court Costs (Act 204 of 1976)	\$13.65	\$0.00	\$0.00	\$0.00	\$13.65
Victim Witness Service (Act 111 of 1998)	\$25.00	\$0.00	\$0.00	\$0.00	\$25.00
Clerk of Courts - Trial (Wayne)	\$150.00	\$0.00	\$0.00	\$0.00	\$150.00
Copies (Wayne)	\$332.50	\$0.00	\$0.00	\$0.00	\$332.50
Subpoenas (Wayne)	-\$30.00	\$0.00	\$0.00	\$0.00	\$30.00
Preliminary Hearing Transcript (Wayne)	\$512.70	\$0.00	\$0.00	\$0.00	\$512.70
Witness Fee (Wayne)	\$27.98	\$0.00	\$0.00	\$0.00	\$27.98
-Witness Lunch Fee (Wayne)	\$12.25	\$0.00	\$0.00	\$0.00	\$12.25
Costs/Fees Totals:	\$1,617.93	-\$27.00	\$0.00	\$0.00	\$1,590.93
Fines					
Crimes Code, etc.	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00
Fines Totals:	\$1,000.00	\$0.00	\$0.00	\$0.00	\$1,000.00

CPCMS 9082

Printed: 02/15/2017

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets. Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

COURT OF COMMON PLEAS OF WAYNE COUNTY

DOCKET



Docket Number: CP-64-CR-0000258-2016

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

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v.

Noel L Brown

Grand Totals:	\$2,617.93	-\$27.00	\$0.00	\$0.00	\$2,590.93
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** - Indicates assessment is subrogated

CPCMS 9082

Printed: 02/15/2017

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CERTIFICATION

I hereby certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Yours Truly,

A handwritten signature in black ink, appearing to be "Noel Brown", written over a large, loopy flourish.