

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0013475-2010

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Bernard Debose

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CASE INFORMATION

Judge Assigned: Ceisler, Ellen

Date Filed: 11/01/2010

Initiation Date: 11/01/2010

OTN: N 700071-1

LOTN:

Originating Docket No: MC-51-CR-0038226-2010

Initial Issuing Authority: Kenneth J. Powell Jr.

Final Issuing Authority: Kenneth J. Powell Jr.

Arresting Agency: Philadelphia Pd

Arresting Officer: Szczepkowski, David S.

Complaint/Incident #:

Case Local Number Type(s)

Case Local Number(s)

District Control Number

1019019928

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	05/27/2011	Completed	09/01/2010
	05/27/2011	Awaiting Return of Bail	
	05/23/2011	Awaiting Trial	
	11/05/2010	Awaiting Formal Arraignment	
	11/01/2010	Awaiting Filing of Information	

Complaint Date: 09/01/2010

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	11/15/2010	11:00 am	1101		Scheduled
Scheduling Conference	11/29/2010	9:00 am	701	Judge Ellen Ceisler	Scheduled
Motions Hearing	12/20/2010	9:00 am	701	Judge Ellen Ceisler	Continued
Motions Hearing	01/13/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Motions Hearing	01/19/2011	9:00 am	701	Judge Ellen Ceisler	Scheduled
Trial	05/23/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Trial	05/24/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Trial	05/25/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Trial	05/26/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Trial	05/27/2011	9:00 am	701	Judge Ellen Ceisler	Continued
Trial	05/27/2011	9:00 am	701	Judge Ellen Ceisler	Scheduled
Trial	05/31/2011	9:00 am	701	Judge Ellen Ceisler	Moved

DEFENDANT INFORMATION

Date Of Birth: 12/04/1982 City/State/Zip: Philadelphia, PA 19139

Alias Name

Dubose, Benard

Dubose, Bernard

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Debose, Bernard

BAIL INFORMATION

Debose, Bernard

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	09/02/2010	Monetary	10.00%	\$500,000.00		

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	11	H1	18 § 901 §§A	Criminal Attempt - Murder Of The First Degree	03/08/2010	N 700071-1
2	2	F1	18 § 2702 §§A	Aggravated Assault	03/08/2010	N 700071-1
3	4	F3	18 § 6106 §§A1	Firearms Not To Be Carried W/O License	03/08/2010	N 700071-1
4	5	M1	18 § 6108	Carry Firearms Public In Phila	03/08/2010	N 700071-1
5	6	M1	18 § 907 §§A	Poss Instrument Of Crime W/Int	03/08/2010	N 700071-1
6	7	M2	18 § 2701 §§A	Simple Assault	03/08/2010	N 700071-1
7	8	M2	18 § 2705	Recklessly Endangering Another Person	03/08/2010	N 700071-1
99999	10	F1	18 § 903 §§A1	Criminal Conspiracy Engaging - Murder	03/08/2010	N 700071-1
99999	1	F1	18 § 901 §§A	Criminal Attempt - Murder	03/08/2010	N 700071-1
99999	10	F1	18 § 903 §§C	Conspiracy - Murder	03/08/2010	N 700071-1
99999	3	F2	18 § 6105 §§A2i	Person Not To Possess Use Etc. Firearms	03/08/2010	N 700071-1
99999	9	M2	18 § 4910 §§1	Tamper With/Fabricate Physical Evidence	03/08/2010	N 700071-1

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>		

Lower Court Proceeding (generic)

<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>		
Preliminary Hearing	10/25/2010	Not Final
2 / Aggravated Assault	Held for Court	F1 18 § 2702 §§ A
3 / Firearms Not To Be Carried W/O License	Held for Court	F3 18 § 6106 §§ A1
4 / Carry Firearms Public In Phila	Held for Court	M1 18 § 6108
5 / Poss Instrument Of Crime W/Int	Held for Court	M1 18 § 907 §§ A
6 / Simple Assault	Held for Court	M2 18 § 2701 §§ A

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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>			
7 / Recklessly Endangering Another Person	Held for Court	M2	18 § 2705
99,999 / Conspiracy - Murder	Dismissed - LOE	F1	18 § 903 §§ C
99,999 / Criminal Attempt - Murder	Held for Court	F1	18 § 901 §§ A
99,999 / Criminal Conspiracy Engaging - Murder	Dismissed - LOE	F1	18 § 903 §§ A1
99,999 / Person Not To Possess Use Etc. Firearms	Dismissed - LOE	F2	18 § 6105 §§ A2i
99,999 / Tamper With/Fabricate Physical Evidence	Dismissed - LOE	M2	18 § 4910 §§ 1

Proceed to Court

<u>Information Filed</u>	<u>11/05/2010</u>	<u>Not Final</u>	
1 / Criminal Attempt - Murder Of The First Degree	Replacement by Information	H1	18 § 901 §§ A
2 / Aggravated Assault	Held for Court	F1	18 § 2702 §§ A
3 / Firearms Not To Be Carried W/O License	Held for Court	F3	18 § 6106 §§ A1
4 / Carry Firearms Public In Phila	Held for Court	M1	18 § 6108
5 / Poss Instrument Of Crime W/Int	Held for Court	M1	18 § 907 §§ A
6 / Simple Assault	Held for Court	M2	18 § 2701 §§ A
7 / Recklessly Endangering Another Person	Held for Court	M2	18 § 2705
99,999 / Conspiracy - Murder	Disposed at Lower Court	F1	18 § 903 §§ C
99,999 / Criminal Attempt - Murder	Charge Changed	F1	18 § 901 §§ A
Replaced by 18 § 901 §§ A, Criminal Attempt - Murder Of The First Degree			
99,999 / Criminal Conspiracy Engaging - Murder	Disposed at Lower Court	F1	18 § 903 §§ A1
99,999 / Person Not To Possess Use Etc. Firearms	Disposed at Lower Court	F2	18 § 6105 §§ A2i
99,999 / Tamper With/Fabricate Physical Evidence	Disposed at Lower Court	M2	18 § 4910 §§ 1

Not Guilty

Defendant Was Present

<u>Trial</u>	<u>05/27/2011</u>	<u>Final Disposition</u>	
1 / Criminal Attempt - Murder Of The First Degree	Not Guilty	H1	18 § 901 §§ A
2 / Aggravated Assault	Not Guilty	F1	18 § 2702 §§ A
3 / Firearms Not To Be Carried W/O License	Not Guilty	F3	18 § 6106 §§ A1
4 / Carry Firearms Public In Phila	Nolle Prossed	M1	18 § 6108
5 / Poss Instrument Of Crime W/Int	Nolle Prossed	M1	18 § 907 §§ A
6 / Simple Assault	Nolle Prossed	M2	18 § 2701 §§ A
7 / Recklessly Endangering Another Person	Nolle Prossed	M2	18 § 2705
99,999 / Conspiracy - Murder	Disposed at Lower Court	F1	18 § 903 §§ C
99,999 / Criminal Attempt - Murder	Charge Changed	F1	18 § 901 §§ 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

Replaced by 18 § 901 §§ A, Criminal Attempt - Murder Of The First Degree

99,999 / Criminal Conspiracy Engaging - Murder

Disposed at Lower Court

F1

18 § 903 §§ A1

99,999 / Person Not To Possess Use Etc. Firearms

Disposed at Lower Court

F2

18 § 6105 §§ A2i

99,999 / Tamper With/Fabricate Physical Evidence

Disposed at Lower Court

M2

18 § 4910 §§ 1

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: John P. Rutkowski
Court Appointed

Supreme Court No: 308390

Rep. Status: Active

Phone Number(s):

866-517-0007 (Phone)

484-378-9046 (Mobile)

Address:

1500 Market St Fl 12 E Tower
Philadelphia, PA 19102

Representing: Debose, Bernard

ENTRIES

Sequence Number

CP Filed Date

Document Date

Filed By

1

11/01/2010

Court of Common Pleas -
Philadelphia County

Held for Court

3

11/01/2010

Unknown Filer

Transferred from Municipal Court

1

11/05/2010

Commonwealth of Pennsylvania

Information Filed

1

11/15/2010

Court of Common Pleas -
Philadelphia County

Hearing Notice

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2	11/29/2010		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	11/29/2010		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	11/29/2010		Ceisler, Ellen
Scheduling Conference Held			
ADA: L. O'Brien Def. Atty.: John Rutkowski Rept.: J. Wilson Clerk: Flannery			
Discovery complete. Defense requests jury trial. Matter to be listed for same on EPd of 5/23/11 in rm. 701. Case to be listed next for hearing on Commonwealth motion to consolidate on 12/20/10 in Rm. 701.			
1	12/14/2010		Rutkowski, John P.
Omnibus Pre-Trial Motion			
2	12/20/2010		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	12/20/2010		Ceisler, Ellen
Order Granting Motion for Continuance			
ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: J. Wilson Clerk: Flannery			
Commonwealth did not provide discovery to Ms. Fegan until this morning. Matter to be relisted for Commonwealth motion to consolidate on 1/13/11 in Rm. 701, which was the earliest possible date consistent with all parties' schedules.			
2	01/13/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	01/13/2011		Ceisler, Ellen
Motion Taken under Advisement			
ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: J. Wilson Clerk: flannery			
Commonwealth motion to consolidate cases for trial held under advisement until 1/19/11 in rm. 701.			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/19/2011		Ceisler, Ellen
Order Granting Motion for Consolidation ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: Jaclyne Wilson Clerk: Flannery Commonwealth's motion to consolidate this matter for jury trial with defendant's other open case is granted.			
2	01/19/2011		Ceisler, Ellen
Trial date remains Continued for jury trial as previously scheduled to 5/23/11 in rm. 701.			
1	03/11/2011		Debose, Bernard
Motion for Discovery			
2	03/11/2011		Debose, Bernard
Motion for a Judgment of Acquittal			
3	03/11/2011		Debose, Bernard
Motion to Quash Return of Transcript and Original Papers			
2	05/23/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	05/23/2011		Ceisler, Ellen
Trial Date Continued Ready jury trial. Continued to 5/24/11 room 701 for jury selection/trial. ADA: Lynne O'Brien Atty: John Rutkowski Steno: Stacey Jackson Court Clerk: Katrina Young			
1	05/24/2011		Court of Common Pleas - Philadelphia County
Jury Selection ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: Stacey Jackson Clerk: Flannery Jury selection begun 11:45 a.m.			

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3	05/24/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	05/24/2011		Court of Common Pleas - Philadelphia County
Jury Selection			
Jury selection completed at 2:40 p.m. on 5/24/11.			
2	05/25/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	05/25/2011		Debose, Bernard
Not Guilty Plea			
Not guilty plea entered at arraignment to attempted murder, aggravated assault and VUFA 6106.			
4	05/25/2011		Court of Common Pleas - Philadelphia County
Testimony Begins			
ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: Stacey Jackson Clerk: Flannery			
1	05/26/2011		Ceisler, Ellen
Order Excusing Juror			
Juror #14 failed to appear as of 11 a.m. Both sides agreed to proceed without that juror for remainder of trial.			
3	05/26/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	05/26/2011		Commonwealth of Pennsylvania
Prosecution Rests			
5	05/26/2011		Ceisler, Ellen
Order Denying Motion for Directed Verdict			
ADA: Lynne O'Brien Def. Atty.: John Rutkowski Rept.: Stacey Jackson Clerk: Flannery			
Defense motion for directed verdict as to the charge of attempted murder is denied.			

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6	05/26/2011		Rutkowski, John P.
Defense Rests			
7	05/26/2011		Court of Common Pleas - Philadelphia County
Jury Retires for Deliberation			
1	05/27/2011		Ceisler, Ellen
Trial Scheduled 5/27/11 9:00 a.m.			
3	05/27/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	05/27/2011		Court of Common Pleas - Philadelphia County
Hearing Notice			
6	05/27/2011		Ceisler, Ellen
Not Guilty ADA: Holland / ATTY: John Rutkowski / STENO: Jackson / CLERK: Goffe			
7	05/27/2011		Ceisler, Ellen
Disposition Filed			
8	05/27/2011		Ceisler, Ellen
Jury Returns with Verdict Defendant found Not Guilty (2:27 p.m.) ADA: O'Brien / ATTY: John Rutkowski STENO: Jackson / CLERK: Goffe			