

COURT OF COMMON PLEAS OF LUZERNE COUNTY

DOCKET



Docket Number: CP-40-CR-0003477-2022

CRIMINAL DOCKET

Court Case

Commonwealth of Pennsylvania

v.

Robert Michael Timchak Jr.

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CASE INFORMATION

Judge Assigned: Sklarosky, Joseph F. Jr. Date Filed: 11/16/2022 Initiation Date: 10/24/2022
OTN: R 375741-2 LOTN: Originating Docket No: MJ-11106-CR-0000120-2022
Initial Issuing Authority: David A. Barilla Final Issuing Authority: James Tupper
Arresting Agency: Luzerne County Detective Arresting Officer: Balogh, Charles J. Jr.
Complaint/Citation No.: 20220914M0480 Incident Number: 20220914M0480
County: Luzerne Township: Luzerne Boro
Case Local Number Type(s) Case Local Number(s)

STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>
Closed	08/07/2023	Completed	10/24/2022
	04/24/2023	Awaiting Sentencing	
	01/19/2023	Awaiting Trial	
	01/05/2023	Awaiting Formal Arraignment	
	11/16/2022	Awaiting Filing of Information	

Complaint Date: 10/24/2022

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>
Dispositional Hearing	01/19/2023	2:00 pm	Luzerne County Courthouse, 3rd Floor	Judge Joseph F. Sklarosky Jr.	Scheduled
Trial - Jury Ready	04/17/2023	9:00 am	Luzerne County Courthouse, 3rd Floor	Judge Joseph F. Sklarosky Jr.	Cancelled
Plea Court	04/24/2023	10:00 am	Luzerne County Courthouse, 3rd Floor	Judge Joseph F. Sklarosky Jr.	Scheduled
Sentencing	08/10/2023	1:30 pm	Luzerne County Courthouse, 3rd Floor	Judge Joseph F. Sklarosky Jr.	Cancelled

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>
11/19/2015	County Correctional Facility	Wayne County Prison		Yes

DEFENDANT INFORMATION

Date Of Birth: 12/03/1965 City/State/Zip: Luzerne, PA 18709

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CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Timchak, Robert Michael Jr.

BAIL INFORMATION

Timchak, Robert Michael Jr.					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	10/24/2022	Monetary	Magisterial District Court		\$20,000.00
<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Professional Surety	Rusak, John David	Posted	10/24/2022	Surety Bonds	\$20,000.00

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	F3	18 § 6312 §§ D	Child Pornography	11/06/2020	R 375741-2
2	9	F3	18 § 6312 §§ D	Child Pornography	11/06/2020	R 375741-2
3	7	F3	18 § 6312 §§ D	Child Pornography	11/06/2020	R 375741-2
4	8	F3	18 § 6312 §§ D	Child Pornography	11/06/2020	R 375741-2
5	6	F3	18 § 7512 §§ A	Criminal Use Of Communication Facility	11/06/2020	R 375741-2

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>		

Waived for Court (Lower Court)	Defendant Was Present	
Lower Court Disposition	11/15/2022	Not Final
1 / Child Pornography	Waived for Court (Lower Court)	F3 18 § 6312 §§ D
5 / Criminal Use Of Communication Facility	Waived for Court (Lower Court)	F3 18 § 7512 §§ A

Proceed to Court	Defendant Was Not Present	
Information Filed	01/05/2023	Not Final
1 / Child Pornography	Proceed to Court	F3 18 § 6312 §§ D
2 / Child Pornography	Added by Information	F3 18 § 6312 §§ D
3 / Child Pornography	Added by Information	F3 18 § 6312 §§ D
4 / Child Pornography	Added by Information	F3 18 § 6312 §§ D
5 / Criminal Use Of Communication Facility	Proceed to Court	F3 18 § 7512 §§ A

Guilty Plea		
Plea Court	04/24/2023	Final Disposition
1 / Child Pornography	Guilty Plea	F3 18 § 6312 §§ D
2 / Child Pornography	Guilty Plea	F3 18 § 6312 §§ D

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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>			
3 / Child Pornography	Guilty Plea	F3	18 § 6312 §§ D
4 / Child Pornography	Guilty Plea	F3	18 § 6312 §§ D
5 / Criminal Use Of Communication Facility	Guilty Plea	F3	18 § 7512 §§ A

Nolle Prossed (Post-Disposition)

Status Conference	08/07/2023	Not Final	
1 / Child Pornography	Nolle Prossed (Post-Disposition)	F3	18 § 6312 §§ D
2 / Child Pornography	Nolle Prossed (Post-Disposition)	F3	18 § 6312 §§ D
3 / Child Pornography	Nolle Prossed (Post-Disposition)	F3	18 § 6312 §§ D
4 / Child Pornography	Nolle Prossed (Post-Disposition)	F3	18 § 6312 §§ D
5 / Criminal Use Of Communication Facility	Nolle Prossed (Post-Disposition)	F3	18 § 7512 §§ A

COMMONWEALTH INFORMATION

Name: Luzerne County District Attorney's Office
District Attorney

Supreme Court No:

Phone Number(s):
570-825-1674 (Phone)

Address:
Luzerne County Courthouse
200 North River Street
Wilkes-Barre, PA 18711

ATTORNEY INFORMATION

Name: Benjamin Stanton
Private

Supreme Court No: 323321

Rep. Status: Active

Phone Number(s):
570-665-4490 (Phone)

Address:
88 N Franklin St
2nd Floor
Wilkes Barre, PA 18701

Representing: Timchak, Robert Michael Jr.

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	10/24/2022		Rusak, John David
Bail Posted - Timchak, Robert Michael Jr.			

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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>
Luzerne County District Attorney's Office 11/16/2022	eService		Served
2 Bail Set - Timchak, Robert Michael Jr.	10/24/2022		O'donnell, Daniel
1 Original Papers Received from Lower Court	11/16/2022		Court of Common Pleas - Luzerne County
1 Information Filed	01/05/2023		Sanguedolce, Samuel M.
1 Arraigned Luzerne County District Attorney's Office 01/20/2023	01/19/2023 eService		Sklarosky, Joseph F. Jr. Served
Stanton, Benjamin 01/20/2023	eService		Served
2 Entry of Appearance Luzerne County District Attorney's Office 01/19/2023	01/19/2023 eService		Stanton, Benjamin Served
3 Order Scheduling Trial - Jury Ready on 4/17/2023 @ 9:00 a.m. Luzerne County District Attorney's Office 01/20/2023	01/19/2023 eService		Sklarosky, Joseph F. Jr. Served
Stanton, Benjamin 01/20/2023	eService		Served
1 Request for Discovery Luzerne County District Attorney's Office 01/23/2023	01/20/2023 eService		Stanton, Benjamin Served

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	02/13/2023		Stanton, Benjamin
Motion for Extension of Time for PreTrial Motions			
Luzerne County District Attorney's Office			
02/13/2023	eService		Served

1	02/17/2023		Sklarosky, Joseph F. Jr.
Order Granting Motion for Extension of Time - Defendant granted a 30 day extension			
Luzerne County District Attorney's Office			
02/17/2023	eService		Served
Stanton, Benjamin			
02/17/2023	eService		Served

1	03/10/2023		Stanton, Benjamin
Motion for Extension of Time to File Pre-Trial Motions and to Compel Production of Discovery			
Luzerne County District Attorney's Office			
03/10/2023	eService		Served

2	03/10/2023		Sklarosky, Joseph F. Jr.
Order Granting Motion for Extension of Time			
Luzerne County District Attorney's Office			
03/13/2023	eService		Served
Stanton, Benjamin			
03/13/2023	eService		Served

1	03/28/2023		Sklarosky, Joseph F. Jr.
Transportation Order			
Luzerne County District Attorney's Office			
03/29/2023	eService		Served
Stanton, Benjamin			
03/29/2023	eService		Served

1	04/06/2023		Stanton, Benjamin
Joint Case Management Plan			
Luzerne County District Attorney's Office			
04/06/2023	eService		Served

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
3	04/10/2023	04/10/2023	Sklarosky, Joseph F. Jr.
Order Scheduling Hearing - Jury Trial CANCELLED; Guilty Plea Hearing 4/24/23 @ 10am			
Luzerne County District Attorney's Office	04/10/2023	eService	Served
Stanton, Benjamin	04/10/2023	eService	Served

1	04/24/2023		Luzerne County District Attorney's Office
Addendum to Plea Agreement			
Stanton, Benjamin	04/25/2023	eService	Served

2	04/24/2023		Timchak, Robert Michael Jr.
Guilty Plea Questionnaire			
Luzerne County District Attorney's Office	04/26/2023	eService	Served
Stanton, Benjamin	04/26/2023	eService	Served

4	04/24/2023		Luzerne County District Attorney's Office
Plea Agreement			
Stanton, Benjamin	04/24/2023	eService	Served

5	04/24/2023		Sklarosky, Joseph F. Jr.
Guilty Plea			
Luzerne County District Attorney's Office	04/24/2023	eService	Served
Stanton, Benjamin	04/24/2023	eService	Served

6	04/24/2023		Sklarosky, Joseph F. Jr.
Order for SOAB Eval.			
Luzerne County District Attorney's Office	04/24/2023	eService	Served
Stanton, Benjamin			

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04/24/2023	eService		Served

7	04/24/2023		Sklarosky, Joseph F. Jr.
PSI to be Completed. Sentencing Hearing Scheduled on 08/10/2023 at 1:30PM.			
Luzerne County District Attorney's Office			
04/24/2023	eService		Served
Stanton, Benjamin			
04/24/2023	eService		Served

1	04/25/2023		Sklarosky, Joseph F. Jr.
Order Directing Sexual Offender Assessment Board to Conduct Assessment			
Luzerne County District Attorney's Office			
05/01/2023	eService		Served
Stanton, Benjamin			
05/01/2023	eService		Served

1	05/09/2023		Sklarosky, Joseph F. Jr.
Transcript of Guilty Plea Hearing 4/24/23			
Luzerne County District Attorney's Office			
05/12/2023	eService		Served
Stanton, Benjamin			
05/12/2023	eService		Served

2	08/07/2023		Sklarosky, Joseph F. Jr.
Nolle Prossed (Post-Disposition)-Order Granting CW's Motion to Nolle Prosse-Def. Is Deceased			
Luzerne County District Attorney's Office			
08/09/2023	eService		Served
Stanton, Benjamin			
08/09/2023	eService		Served
