

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

THOMAS REMICK, et al.	:	
	:	
Plaintiffs,	:	
	:	Civil Action
v.	:	No. 20-1959
	:	
CITY OF PHILADELPHIA, et al.,	:	
	:	
Defendants.	:	
	:	

ORDER

AND NOW, this _____ day of _____, 2020, upon consideration of Plaintiffs' Motion for Class Certification, and Defendants' response thereto, it is **HEREBY ORDERED** that the Motion is **DENIED**.

BY THE COURT:

BERLE M. SCHILLER, J.

MARCEL PRATT
Philadelphia City Solicitor
CRAIG STRAW
First Deputy City Solicitor
DIANA CORTES
Chair, Litigation Group
ANNE TAYLOR
Chief Deputy City Solicitor, Civil Rights Unit
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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**THOMAS REMICK, et al.,
Plaintiffs,**

v.

**CITY OF PHILADELPHIA, et al.,
Defendants.**

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**Civil Action
No. 20-1959**

**THE CITY OF PHILADELPHIA’S MEMORANDUM OF LAW IN OPPOSITION TO
PLAINTIFFS’ MOTION FOR CLASS CERTIFICATION**

Plaintiffs, Thomas Remick, Nadiyah Walker, Jay Diaz, Michael Alejandro, Michael Dantzler, Robert Hinton, Joseph Weiss, Joseph Skinner, Saddam Abdullah, and James Bethea (“Plaintiffs”), commenced this action on April 20, 2020. Dkt. 1. That same day, Plaintiffs filed a motion for class certification (“Motion”). Dkt. 2. In their Motion, Plaintiffs seek to have the Court enter an order certifying their proposed class (“Class”), as well as two subclasses (the “Subclasses”), including the Medically-Vulnerable Subclass.

For the following reasons, Defendants, the City of Philadelphia and Commissioner Blanch Carney (“Defendants”), oppose the certification of the Class and both the Medically-Vulnerable and Disability Subclasses.

I. ARGUMENT

Defendants have filed an opposition to Plaintiffs’ motion for temporary restraining order. Dkt. 22 (“Opposition”). For the sake of brevity, the Defendants incorporate these facts by reference and rely upon them as if restated herein.

The requirements for class certification are outlined in Rule 23(a). Fed.R.Civ.P. 23; *Amchem Prods., Inc. v. Windsor*, 521 U.S. 591, 613–14 (1997). “Unless each requirement of Rule 23 is actually met, a class cannot be certified.” *In re Schering Plough Corp. ERISA Litig.*, 589 F.3d 585, 596 (3d Cir.2009). “As a result, ‘[a]n overlap between a class certification requirement and the merits of a claim is no reason to decline to resolve relevant disputes when necessary to determine whether a class certification requirement is met.’” *Id.* (quoting *Beck v. Maximus*, 457 F.3d 291, 301 (3d Cir.2006)). The Court must therefore conduct a “rigorous analysis” to determine whether the prerequisites of Rule 23 have been satisfied, going beyond the pleadings if necessary. *Id.*; *Williams v. City of Philadelphia*, 270 F.R.D. 208, 213 (E.D. Pa. 2010).

Rule 23(a) requires that the movant demonstrate the following for certification:

- (1) the class is so numerous that joinder of all members is impracticable,
- (2) there are questions of law or fact common to the class,
- (3) the claims or defenses of the representative parties are typical of the claims or defenses of the class, and
- (4) the representative parties will fairly and adequately protect the interests of the class.

Fed.R.Civ.P. 23(a). Because Plaintiffs seek class certification pursuant to Rule 23(b)(2), they must also establish that “the party opposing the class has acted or refused to act on grounds that apply

generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole.” Fed.R.Civ.P. 23(b)(2).

A “decision to certify a class calls for findings by the court, not merely a ‘threshold showing’ by a party, that each requirement of Rule 23 is met.” *In re Hydrogen Peroxide Antitrust Litig.*, 552 F.3d 305, 307 (3d Cir. 2008). Rather, “[t]he party seeking certification bears the burden of establishing each element of Rule 23 by a preponderance of the evidence” and “actual, not presumed, conformance with Rule 23 requirements is essential.” *Marcus v. BMW of N. Am., LLC*, 687 F.3d 583, 591 (3d Cir. 2012) (internal quotations omitted). “To determine whether there is actual conformance with Rule 23, a district court must conduct a ‘rigorous analysis’ of the evidence and arguments put forth.” *Id.*

Indeed, “[a] class certification decision requires a thorough examination of the factual and legal allegations” contained in the complaint, and “it may be necessary for the court to probe behind the pleadings before coming to rest on the certification question.” *Newton v. Merrill Lynch, Pierce, Fenner & Smith, Inc.*, 259 F.3d 154, 166 (3d Cir. 2001) (citing *Barnes v. Am. Tobacco Co.*, 161 F.3d 127, 140 (3d Cir. 1998); *General Tel. Co. of Southwest v. Falcon*, 457 U.S. 147, 160 (1982)). In essence, “the task for plaintiffs at class certification is to demonstrate [by a preponderance of the evidence] that the elements of their claims are capable of proof at trial through evidence that is common to the class rather than individual to its members.” *Stanford v. Foamex*, 263 F.R.D. 156, 163 (E.D. Pa. 2009) (quoting *In re Hydrogen Peroxide Antitrust Litig.*, 552 F.3d at 317 (internal marks omitted)). The Third Circuit has made clear that Rule 23 gives no license to shy away from making factual findings that are necessary to determine whether the Rule’s requirements have been met.” *Marcus*, 687 F.3d at 591.

As to the Class, Defendants do not challenge that Plaintiffs have satisfied the elements of numerosity and typicality. However, Plaintiffs are unable to establish the elements of commonality and representation. Nor are Plaintiffs' able to satisfy the elements of commonality or representation as to the Medically-Vulnerable or Disability Subclasses. Finally, denial of Plaintiffs' Motion is warranted because Plaintiffs have failed to establish that Defendants acted or refused to act on grounds that apply generally to the Class.

A. Plaintiff Fails to Establish Elements Necessary to Certify the Class

Plaintiffs cannot establish either the elements of commonality or representation as to the Class.

1. Plaintiffs' Fail to Establish Commonality as to the Class

Plaintiff asserts the following common questions of law and fact:

- whether PDP's facilities are properly equipped to house all Class members safely and quarantine all Class members who exhibit symptoms for COVID-19;
- whether denial of adequate testing, cleaning supplies, and the right to practice social distancing in accordance with CDC guidelines will cause injury to the Class members, including unnecessary pain and suffering, and even death; and
- whether PDP's current practices and procedures violate the Fourteenth Amendment, the Eighth Amendment, and the Americans with Disabilities Act.

Motion at ¶6. Because these issues require individualized analysis as to each purported class member, Plaintiffs cannot establish the element of commonality.

As an initial matter, Plaintiffs have sought relief for alleged Fourteenth and Eighth Amendments violations pursuant to 28 U.S.C. § 2241. However, Section 2241 is the appropriate mechanism by which a pre-trial detainee may challenge state custody. *Paladino v. King*, Civ. No. 07-370, 2008 WL 1820666, at *2 (E.D. Pa. Apr. 22, 2008) (Schiller, J., adopting Report and

Recommendation of Restrepo, M.J.). Title 28 U.S.C. § 2254 is actually the appropriate mechanism by which an individual “in custody pursuant to the judgment of a state court” may seek relief. *Id.* (internal citation omitted). Plaintiff fails to assert a claim under Section 2254, thus any putative Class members who have already been convicted, such as Plaintiffs Remick and Bethea, must seek relief under Section 2254, not Section 2241.

Further, Plaintiffs allege that there is a common question of law or fact including whether PPD facilities are properly equipped to safely handle all class member who exhibit symptoms; whether the denial of testing, cleaning or social distancing; etc. amount to a constitutional violation. While Plaintiffs attempt to assert a blanket challenge under the Eighth Amendment concerning an unreasonable risk of contracting COVID-19, Plaintiffs’ claims do not actually concern a single, unified policy or issue. Rather, Plaintiffs have identified a plethora of policies and practices that they assert all touch on the issue of infection in some degree including, but not limited to, facility population, quarantine policies, social distancing policies, provision of soap and/or cleaning materials, and provision of personal protective equipment. *Compare Stewart v. Winter*, 669 F.2d 328, 338 (5th Cir. 1982) (declining to find a common question of fact or law as to eight (8) plaintiffs spread across different facilities); *with, Baby Neal for & by Kanter v. Casey*, 43 F.3d 48, 62 (3d Cir. 1994) (allowing claims to proceed where conditions concerned unified system and statutory standards unlike individualized Eighth Amendment analysis); *Williams*, 270 F.R.D. at 215 (assessing whether single issue of overcrowding in facilities constituted violation). Additionally, there are significant variances within each of the four (4) PDP facilities at issue that preclude a blanket analysis of Plaintiffs’ claims: from layout (individual cells v. dorms; personal sinks or toilets; types of showers), to facility capacity and population, to security levels and inmate disciplinary issues.

As recognized by the very Center for Disease Control (“CDC”) guidelines Plaintiffs rely upon, specific practices “may need to be adapted based on individual facilities’ physical space, staffing, population, operations, and other resources and conditions.”¹ Further, the CDC acknowledged that administrators and agencies “should adapt these guiding principles to the specific needs of their facilities.” *Id.* at p.3. Compliance with CDC guidelines or general best practices for a correctional facility is an inherently individualized and fact specific assessment.

As such, the issue here of whether an individual is being subject to conditions that violate the Eighth or Fourteenth Amendments is specific if not to each inmate, at a minimum to each facility. The Court is unable to make a determination as to the PDP in general, but must make a “separate inquiry into the ‘totality’ of conditions in each jail.” *Stewart*, 669 F.2d at 338.

2. Plaintiffs are Not Adequate Class Representatives

Nor have Plaintiffs established that they are adequate class representatives. In a conditions of confinement case, a plaintiff who has been released from confinement within the subject facility is not an adequate class representative. *Parsons v. Ryan*, 289 F.R.D. 513, 524 (D. Ariz. 2013), *aff’d*, 754 F.3d 657 (9th Cir. 2014) (holding that plaintiff’s release “undermines his adequacy as a Class representative and he will be dismissed”). Plaintiffs have failed to make any showing as to the adequacy of the Plaintiffs as representative of the class. Defendants are aware that at least one Plaintiff, Michael Dantzler, has been released. *See* Criminal Docket, Inmate Locater Results, attached respectively as Exhibits A & B. Plaintiff Dantzler is therefore no longer an adequate Class representative. To the extent additional Plaintiffs have been released, they are

¹*Interim Guidance on Management of Coronavirus Disease 2019 (COVID-19) in Correctional and Detention Facilities* at p.1, 3 (emphasis not included), available at <https://www.cdc.gov/coronavirus/2019-ncov/community/correction-detention/guidance-correctional-detention.html> (last viewed Apr. 30, 2020).

similarly no longer adequate class representatives. Given that Plaintiffs have failed to make a showing that the individual Plaintiffs are adequate class representatives, Plaintiffs' Motion must fail. *See Stanford*, 263 F.R.D. at 163.

B. Plaintiff Fails to Establish Elements Necessary to Certify the Subclasses

Plaintiff also seeks to certify two (2) Subclasses. The first subclass (the Medically-Vulnerable Subclass) includes the following categories of individuals:

All current and future persons in the custody of the Philadelphia Department of Prisons who are 55 or older, as well as all current and future persons held of any age who have a medical condition that places them at increased risk of COVID-19 illness, injury, or death, including but not limited to: (a) lung disease, including asthma, chronic obstructive pulmonary disease (e.g. bronchitis or emphysema), or other chronic conditions associated with impaired lung function; (b) heart disease, such as congenital heart disease, congestive heart failure, or coronary artery disease; (c) chronic liver or kidney disease (including hepatitis and dialysis patients); (d) diabetes or other endocrine disorders; (e) epilepsy; (f) hypertension; (g) compromised immune systems (such as from cancer, HIV, receipt of an organ or bone marrow transplant, as a side effect of medication, or other autoimmune disease); (h) blood disorders (including sickle cell disease); (i) inherited metabolic disorders; (j) history of stroke; (k) a developmental disability; and/or (l) a current or recent (last two weeks) pregnancy.

Motion at ¶2.

The second subclass (the Disability Subclass) includes the following categories of individuals:

All current and future persons in the custody of the Philadelphia Department of Prisons who have an impairment that substantially limits one or more of their major life activities and who are at increased risk of COVID-19 illness, injury, or death due to their disability or any medical treatment necessary to treat their disability, including but not limited to those who have: (a) lung disease, including asthma, chronic obstructive pulmonary disease (e.g. bronchitis or emphysema), or other chronic conditions associated with impaired lung function; (b) heart disease, such as congenital heart disease, congestive heart failure, or coronary artery disease; (c) chronic liver or kidney disease (including hepatitis and dialysis patients); (d) diabetes or other endocrine disorders; (e) epilepsy; (f) hypertension; (g) compromised immune systems (such as from cancer, HIV, receipt of an organ or bone marrow transplant, as a side effect of medication, or other autoimmune disease); (h) blood disorders and/or (i) developmental disability.

Motion at ¶3.

For the same reasons articulated above that Plaintiffs fail to satisfy commonality as to the Class, Plaintiffs also fail to satisfy commonality as to the Subclasses. Further, even if the Court were to certify subclasses for Plaintiff's condition of confinement claim, the Court should deny certification of the Medically-Vulnerable Subclass to the extent Plaintiffs seek the relief of release as Plaintiffs cannot meet the commonality element of this subclass. Cmplt. at ¶67(d)(i). Further, Plaintiffs fail to establish that they are adequate representative as to either Subclass.

1. Plaintiffs Have Not Established Commonality as to the Medically-Vulnerable Subclass

Commonality requires at least one question common to all of the class members, the answer to which is "apt to drive the resolution of the litigation." *Wal-Mart Stores, Inc. v. Dukes*, 564 U.S. 338, 350 (2011). While multiple questions might bear on the claims asserted by the individuals comprising the Medically-Vulnerable Subclass, the only question is whether the individual, by virtue of their medical issues, is entitled to release given the threat of infection. When an inmate is seeking release through injunctive relief "the public interest—which must be taken into account when considering a TRO or preliminary injunction—mandates individualized consideration of any inmate's suitability for release and on what conditions, for the safety of the inmate, the inmate's family, and the public at large." *Money v. Pritzker*, No. 20-CV-2093, 2020 WL 1820660, at *14 (N.D. Ill. Apr. 10, 2020).

"By its very nature, the process would entail a highly individualized inquiry that is ill-suited to class treatment. Simply put, there is no way to decide which inmates should stay, and which inmates should go, without diving into an inmate-specific inquiry." *Id.* at *15. For instance, multiple Plaintiffs are awaiting trial for or are serving sentences for a variety of violent crimes including, but not limited to, carjacking/robbery, aggravated assault, strangulation, and third-degree murder. Releasing individuals accused of and even convicted of similar charges could

present a threat to the population at large. *Id.* at *20. Similarly, release of individuals who may have been exposed during incarceration would present a potential risk to the public. *Id.* at *19. Only an individual analysis of each class member could determine if release is warranted.

Further, because Plaintiffs seek relief under Section 2241, each member of the subclass would need to establish that they had met the exhaustion requirements of Section 2241. This Court has recognized “habeas corpus petitions brought under § 2241 are subject to the Rules Governing § 2254 cases in the United States District Courts pursuant to Rule 1(b) of the habeas rules.” *O’Neal v. Levi*, 551 F. Supp. 2d 379, 387 (E.D. Pa. 2008) (citations omitted). Therefore, all plaintiffs – regardless of whether a pre-trial or convicted – are subject to the state court exhaustion requirements of 28 U.S.C. § 2254(b)(1)(A). *See Coady v. Vaughn*, 251 F.3d 480, 488 (3d Cir. 2001) (“While exhaustion is mandated by Section 2254, it ‘has developed through decisional law . . . as to claims brought under 20 U.S.C. § 2241.’”) (quoting *Schandelmeier v. Cunningham*, 819 F.2d 52, 53 (3d Cir. 1986)); *Moore v. DeYoung*, 515 F.2d 437, 441-42 (3d Cir. 1975) (no distinction between § 2254 and § 2241 “insofar as the exhaustion requirement is concerned”); *Ross v. McCafferty*, No. CV 19-4663, 2019 WL 7756074, at *1 (E.D. Pa. Dec. 13, 2019), *report and recommendation adopted sub nom. Ross v. McCaffery*, No. CV 19-4663, 2020 WL 419467 (E.D. Pa. Jan. 24, 2020) (“The exhaustion requirement applies equally to petitions filed pursuant to 28 U.S.C. § 2241.”).

Moreover, any such mass release of prisoners based upon conditions of confinement – absent the employment of appropriate procedure, including, but not limited to, a three-judge panel – would be violative of the Prison Litigation Reform Act (“PLRA”). *See generally*, 18 U.S.C. § 3626. The PLRA incorporates the provisions of 18 U.S.C. § 3626. Pursuant to Section 3626, Plaintiffs would first have to seek an order for less intrusive relief and provide Defendants a

reasonable amount of time to comply such order. Even if Defendants failed to comply with this less intrusive order, only a three-judge panel could consider a prisoner release order, and Plaintiffs would have to prove by clear and convincing evidence that “crowding is the primary cause of the violation of a Federal right” and “no other relief will remedy the violation.” 18 U.S.C. §3626(a)(3)(E)(i)-(ii); *Brown v Plata*, 563 US 493, 512 (2011).

2. Plaintiffs Are Not Adequate Medically-Vulnerable Subclass Representatives

For the same reasons, Plaintiffs have not established that they are adequate representatives for the Medically-Vulnerable Subclass to the extent they seek release. In addition to the fact that Plaintiffs Remick and Bethea cannot proceed under Rule 2241, Plaintiffs have further not alleged nor proffered evidence to support that they have exhausted their state court remedies and/or satisfied the requisites of the PLRA.

As such, Plaintiffs cannot establish commonality as to the Medically-Vulnerable Subclass in seeking release. Defendants note that the same arguments apply as to the proposed Disability Subclass to the extent that subclass also seeks release.

C. Plaintiffs Fail to Show that Defendants Have Refused to Act on Grounds Generally Applicable to the Alleged Class

Because they are seeking class certification pursuant to Rule 23(b)(2), Plaintiffs must establish that the “party opposing the class has acted or refused to act on grounds that apply generally to the class, so that final injunctive relief or corresponding declaratory relief is appropriate respecting the class as a whole.” Fed.R.Civ.P. 23(b)(2). For the reasons asserted in Defendants’ Opposition, Plaintiffs’ have failed to meet this bar. As such, Plaintiffs’ Motion fails. *Gordon v. Aetna Life Ins. Co.*, 467 F.2d 717, 720–21 (D.C. Cir. 1971) (affirming dismissal of portion of complaint seeking to commence a class action).

II. CONCLUSION

For the foregoing reasons, Plaintiffs' motion for class certification must be denied.

Date: May 4, 2020

Respectfully submitted,

/s/ Marcel Pratt

MARCEL PRATT

Philadelphia City Solicitor

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THOMAS REMICK, et al.,

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: **CIVIL ACTION**
: **No. 20-1959**
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CERTIFICATE OF SERVICE

I hereby certify that on the date below the City of Philadelphia’s Opposition to Plaintiffs’ Motion to Certify Class Limit was filed via the Court’s electronic filing system and is available for downloading.

Date: May 4, 2020

Respectfully submitted,

/s/ Meghan E. Claiborne
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COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: CP-51-CR-0008900-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Michael Dantzer

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CASE INFORMATION

Judge Assigned: Coyle, Anne Marie B. Date Filed: 12/19/2018 Initiation Date: 12/19/2018
OTN: U 138242-6 LOTN: Originating Docket No: MC-51-CR-0024305-2018
Initial Issuing Authority: The Honorable Marissa Brumbach Final Issuing Authority:
Arresting Agency: Philadelphia Pd Arresting Officer: Duffy, Shaun P.
Complaint/Incident #: 1807003623-0024305
Case Local Number Type(s) Case Local Number(s)
 Originating Docket Number MC-51-CR-0024305-2018
 District Control Number 1807003623
 Originating Document Number 1807003623-0024305

STATUS INFORMATION

<u>Case Status:</u>	<u>Active</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Arrest Date:</u>	09/20/2018
		02/07/2019	Awaiting Trial		
		01/02/2019	Awaiting Pre-Trial Conference		
		12/21/2018	Awaiting Formal Arraignment		
		12/19/2018	Awaiting Filing of Information		

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	01/02/2019	11:00 am	1104	Trial Commissioner Susan Carmody	Scheduled
Pre-Trial Conference	01/23/2019	9:00 am	1005	Judge Robert P. Coleman	Scheduled
Scheduling Conference	02/07/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Motions Hearing	02/19/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Trial	04/10/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	04/10/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Moved
Trial	06/10/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	06/10/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Motions Hearing	06/12/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled
Trial	10/21/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	10/22/2019	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	03/02/2020	9:00 am	1002	Judge Anne Marie B. Coyle	Continued
Trial	09/14/2020	9:00 am	1002	Judge Anne Marie B. Coyle	Scheduled

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: CP-51-CR-0008900-2018

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Commonwealth of Pennsylvania

v.

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DEFENDANT INFORMATION

Date Of Birth: 01/02/1975 City/State/Zip: Philadelphia, PA 19140

Alias Name

Dantzler, Michael J.

Dantzler, Mike

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Dantzler, Michael

BAIL INFORMATION

Dantzler, Michael

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	09/21/2018	Monetary	10.00%	\$150,000.00		
Change Bail Type	04/20/2020	Unsecured		\$150,000.00		

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		18 § 6105	Possession Of Firearm Prohibited	02/12/2018	U 138242-6
2	3		18 § 6106	Firearms Not To Be Carried W/O License	02/12/2018	U 138242-6
3	5		35 § 780-113	Int Poss Contr Subst By Per Not Reg	02/12/2018	U 138242-6
4	6		18 § 6108	Carry Firearms Public In Phila	02/12/2018	U 138242-6
5	7		18 § 3928	Unauth Use Motor/Other Vehicles	02/12/2018	U 138242-6
99,999	1		18 § 3925	Receiving Stolen Property	02/12/2018	U 138242-6
99,999	4		18 § 3925	Receiving Stolen Property	02/12/2018	U 138242-6

DISPOSITION SENTENCING/PENALTIESDisposition

<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>
Preliminary Hearing	12/18/2018	Not Final
1 / Possession Of Firearm Prohibited	Held for Court	18 § 6105
2 / Firearms Not To Be Carried W/O License	Held for Court	18 § 6106
3 / Int Poss Contr Subst By Per Not Reg	Held for Court	35 § 780-113
4 / Carry Firearms Public In Phila	Held for Court	18 § 6108

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET

Docket Number: CP-51-CR-0008900-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Michael Dantzler

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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 / Unauth Use Motor/Other Vehicles	Held for Court		18 § 3928
99,999 / Receiving Stolen Property	Dismissed - LOE		18 § 3925
Proceed to Court Defendant Was Not Present			
Information Filed	12/21/2018	Not Final	
1 / Possession Of Firearm Prohibited	Proceed to Court		18 § 6105
2 / Firearms Not To Be Carried W/O License	Proceed to Court		18 § 6106
3 / Int Poss Contr Subst By Per Not Reg	Proceed to Court		35 § 780-113
4 / Carry Firearms Public In Phila	Proceed to Court		18 § 6108
5 / Unauth Use Motor/Other Vehicles	Proceed to Court		18 § 3928
99,999 / Receiving Stolen Property	Disposed at Lower Court		18 § 3925

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: Robert Patrick Link
Private

Supreme Court No: 094865

Rep. Status: Active

Phone Number(s):
267-858-4774 (Phone)
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Representing: Dantzler, Michael

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	12/19/2018		Court of Common Pleas - Philadelphia County
			Held for Court
1	12/21/2018		Krasner, Larry
			Information Filed

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: CP-51-CR-0008900-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
3	01/02/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
6	01/23/2019		Coleman, Robert P.
Order Granting Motion for Continuance			
1	02/07/2019		Coyle, Anne Marie B.
Counsel Attached for Trial			
4	02/07/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	02/07/2019		Coyle, Anne Marie B.
Scheduling Conference Held			
2	02/11/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
3	02/15/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
4	02/19/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
5	02/19/2019		Coyle, Anne Marie B.
Trial Date to Remain			
1	04/10/2019		Coyle, Anne Marie B.
Court Request For Continuance Defendant Not Brought Down From State Custody			
2	04/10/2019		Link, Robert Patrick
Omnibus Pre-Trial Motion			
3	04/10/2019		Coyle, Anne Marie B.
Order Denying Motion to Suppress			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: CP-51-CR-0008900-2018

CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Michael Dantzler

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
7	04/10/2019		Court of Common Pleas - Philadelphia County
Hearing Notice			
8	04/10/2019		Coyle, Anne Marie B.
Order Entering an Exhibit			
9	04/10/2019		Coyle, Anne Marie B.
Defense Request For Continuance For Further Investigation			
10	04/10/2019		Coyle, Anne Marie B.
Counsel Attached for Trial			
1	06/10/2019		Coyle, Anne Marie B.
Defense Request For Continuance For Further Investigation			
3	06/10/2019		Commonwealth of Pennsylvania
Motion in Limine			
4	06/10/2019	06/10/2019	Link, Robert Patrick
Motion in Limine			
1	06/12/2019		Coyle, Anne Marie B.
Order Granting Motion in Limine			
1	08/06/2019		Dantzler, Michael
Motion for Recusal			
1	10/11/2019		Dantzler, Michael
Motion for Recusal			
1	10/16/2019		Dantzler, Michael
Motion to Dismiss Pursuant to Rule 600			
2	10/16/2019		Dantzler, Michael
Motion for Modification of Bail			
1	10/21/2019		Coyle, Anne Marie B.
Court Request For Continuance Court is on Trial			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY**DOCKET**

Docket Number: CP-51-CR-0008900-2018

CRIMINAL DOCKET

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	10/22/2019		Coyle, Anne Marie B.
Counsel Attached for Trial			
5	10/22/2019		Coyle, Anne Marie B.
Court Request For Continuance No Judges Available			
1	03/02/2020		Coyle, Anne Marie B.
Defense Request For Continuance Defendant Unavailable/Attorney Accepts Service			
1	04/13/2020		Link, Robert Patrick
Motion to Remove Detainer			
1	04/14/2020		Sawyer, Stephanie
Order Granting Motion to Remove Detainer			
1	04/15/2020		Link, Robert Patrick
Motion for Modification of Bail			
1	04/20/2020		Sawyer, Stephanie
Bail Type Changed - Dantzler, Michael			

CASE FINANCIAL INFORMATION

Last Payment Date: 06/10/2019

Total of Last Payment: -\$12.50

Dantzler, Michael Defendant	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Total</u>
Costs/Fees					
Filing Fee (Philadelphia)	\$15.00	(\$15.00)	\$0.00	\$0.00	\$0.00
Motion Filing Fee (Philadelphia)	\$12.50	(\$12.50)	\$0.00	\$0.00	\$0.00
Costs/Fees Totals:	\$27.50	(\$27.50)	\$0.00	\$0.00	\$0.00
Grand Totals:	\$27.50	(\$27.50)	\$0.00	\$0.00	\$0.00

** - Indicates assessment is subrogated



Showing results for *dantzler michael* and *01/02/1975*

Last updated on May 4, 2020 1:46 PM

No record found.

SEARCH AGAIN

Resources

- If you're having trouble locating an inmate, call Classification, Movement, and Registration at **(215) 685-8394**, **(215) 685-8395**, or **(215) 685-8396**. For Spanish language assistance, call **(215) 685-8392**.
- For further help, call the Office of Community Justice and Outreach at **(215) 685-7288**, **(215) 685-7711** or **(215) 685-8909**.

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- **Visit a person in jail or prison.**
- **Send mail to a person in jail or prison.**
- Learn more about the **facilities operated by the Philadelphia Department of Prisons.**