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IN THE COURT OF COMMON PLEAS OF
CLARION COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
 :
 vs. : NO. 21 SA 2015
 :
 NICKOLAS KOSLIN :

Transcript of proceedings had in open court
in the Clarion County Courthouse, Courtroom No. 1, on
September 16, 2015, in front of The Honorable James G.
Arner, President Judge of the Court of Common Pleas of
Clarion County.

APPEARANCES:

Drew Welsh, Esquire
Clarion County Assistant District Attorney
Nickolas Koslin, the Defendant
Appeared Pro Se.

Transcribed by:
Tracey Geci Duncan
Court Stenographer & Notary Public
724.630.5416

1 MR. WELSH: Your Honor, Mr. Koslin had ten
2 criminal complaints filed for bad checks by Evermoore's
3 Restaurant. I talked to Mr. Koslin before court began.
4 He indicated to me generally that he wants to plead
5 guilty to all these offenses. His primary concern is
6 getting on some type of affordable payment schedule with
7 the magistrate's office. The schedule that they had set
8 was not conducive to him being able to make those
9 payments, however, he is accepting responsibility for
10 the bad checks and just asking for your consideration of
11 his financial situation.

12 THE COURT: What is your financial
13 situation?

14 THE DEFENDANT: I get \$750 a month. After
15 rent and everything I get about \$275 leftover to buy,
16 like, necessities that I need for every month like
17 toilet paper, shaving cream and stuff.

18 THE COURT: So how much can you afford to
19 pay per month?

20 THE DEFENDANT: I'd be willing to go \$150,
21 \$200, whatever. Like I said, I'm here to throw myself
22 at the mercy of you.

23 THE COURT: Do we have an idea how much he
24 owes?

25 MR. WELSH: Well, there's ten citations, and

1 each of the surcharges for the bad checks, I believe, is
2 \$50. So, that's \$500 there. And just looking, it's
3 probably another \$150 or \$200 for the total of these
4 checks.

5 THE DEFENDANT: What the magistrate did was
6 I think \$425 and with the overcharges and that, it came
7 to about \$750, I believe.

8 MR. WELSH: \$705.48.

9 THE COURT: So Evermoore's didn't catch this
10 until after ten checks were written?

11 MR. WELSH: I know the representatives from
12 Evermoore's are here. I don't know exactly what
13 happened.

14 THE DEFENDANT: What was happening was
15 through my bank I was paying all the overdraft fees, and
16 somehow I owed the bank 900 bucks. I was trying to
17 juggle that. I admit I made a lot of excuses to the guy
18 that owns Evermoore's. I'll pay you next month. I'll
19 pay you next month. I was hoping that I could hold them
20 off long enough so I can pay the bank off before I
21 started paying him off. I know that's wrong, but it's
22 like I said --

23 THE COURT: Well, Mr. Welsh, I'd like to
24 hear what the Evermoore's representatives have to say.

25 MR. WELSH: Would you like to come up? You

1 can stand right over here. Sir, what's your name?

2 DEAN MOORE: Dean Moore, Robert Dean Moore.

3 MR. WELSH: You own or work at Evermoore's?

4 DEAN MOORE: Yes, we own Evermoore's.

5 MR. WELSH: Can you tell the judge what
6 happened?

7 DEAN MOORE: Basically, this man wrote us a
8 bunch of bad checks, ten of them.

9 THE COURT: What would you like me to do
10 today?

11 DEAN MOORE: Well, I would like to have the
12 whole amount at one time because I'd given him that
13 opportunity once to pay us.

14 MARYANN MOORE: Yeah. He came into the
15 restaurant different times, and we gave him the chance
16 to just pay the checks plus the \$5 the bank charged us,
17 and he kept coming in saying he'd do it the next month,
18 the next month, the next month, and we weren't going to
19 add all the charges, and he still wouldn't pay. That's
20 where we are at. I mean, we gave him the chance.

21 THE COURT: Do you have figured up how much
22 he owes you?

23 DEAN MOORE: \$894.48.

24 THE COURT: \$894.48. So you were trying to
25 help him out, work with him, and he led you on.

1 DEAN MOORE: Yeah, I don't have a problem
2 with that. He'd come in and tell me that he was going
3 to be getting money, but I never seen him.

4 MARYANN MOORE: That \$894 is not all ours.
5 It includes the fines and costs of the bank of \$189.

6 MR. WELSH: The total amount from the checks
7 is \$705.48, which would include the \$50 surcharge, plus
8 the amount that's on the checks.

9 MARYANN MOORE: We only charged him \$20. We
10 didn't even go with the \$50.

11 MR. WELSH: Okay.

12 THE COURT: So, the Moore's need \$705. How
13 are you going to come up with that?

14 THE DEFENDANT: Like I said, I can't afford
15 that in one month. I'd have to do that in a monthly
16 payment. After I pay my rent and everything, I can
17 afford \$200 a month. That would be feasible.

18 THE COURT: So you're not working?

19 THE DEFENDANT: No. I'm not -- I had a
20 stroke, and I'm on social security disability, and
21 social security I get like \$750 a month. I'm not
22 working. I wish I was. I would be making more money.

23

24 THE COURT: Do you have any part-time jobs
25 or any income at all other than social security?

Nick Koslin is lying to the Judge. Nick has an older sister. Her name is Betty Baranik and she lives 75 miles away in Johnstown, PA. Nick and Betty haven't seen each other in many years. The truth is, Nick lives with LYNDA KERR!!! Why would Nick and Lynda try to convince the Judge and others that they are brother and sister? Best guess is to get around the laws governing Section 8 housing so they can live together. Sneaky!!!!

1 THE DEFENDANT: NO. JUST SOCIAL SECURITY.
2 They told me I couldn't work, and like I said, I know
3 it's no excuse, but I did it at a time like a mental
4 breakdown, and the meds that my doctor gave me, the ones
5 they gave me was actually starting to work, and then the
6 doctor I went to took me off of them and put me on
7 another one that made me worse. I just quit taking them
8 and I did something stupid. I should have never.

9 THE COURT: Where do you live? Where do you
10 pay rent?

11 THE DEFENDANT: Down in New Bethlehem.

12 THE COURT: Is it an apartment?

13 THE DEFENDANT: Yeah, I share with my
14 sister.

15 THE COURT: How much is your rent?

16 THE DEFENDANT: \$300.

17 THE COURT: That's what you pay?

18 THE DEFENDANT: Yeah.

19 THE COURT: Can your sister cover you for a
20 couple of months? I mean, I'd like to see the Moores
21 get their money.

22 THE DEFENDANT: With all the bills and
23 everything, we split that and the rent and everything,
24 that's like about close to 900 bucks, and once I pay my
25 share of the bills --

LIE!!!!

1 THE COURT: Well, this is a bill too.

2 THE DEFENDANT: I know. I understand that.
3 I can't afford to pay that all off in one month. She
4 wouldn't be able to cover that either because she makes
5 the same amount of money that I do. I was just hoping
6 that I could get a fair bill instead of getting it in
7 two months, pay it in four months.

8 THE COURT: I'll let you pay the costs in
9 installments, but I want you to pay the Moores the \$705.

10 THE DEFENDANT: I can't afford that. I
11 really honestly cannot afford that.

12 THE COURT: Anything else, Mr. Welsh?

13 MR. WELSH: No. If you'd like, I could read
14 the facts and the dates and the amounts of the checks.

15 THE COURT: I'm trying to get the Moores
16 their money.

17 THE DEFENDANT: I understand that. I can't
18 afford \$705 in one payment.

19 THE COURT: You need to make it in two
20 payments. I'll give you 60 days to pay it. That's why
21 the Moores are here too, to get their money. You need
22 to pay what you owe them within 60 days, and then the
23 rest of it I'll let you make payments on, but you are
24 going to have to scrape up the money.

25 THE DEFENDANT: How much is the rest?

1 THE COURT: \$190, thereabouts.

2 THE DEFENDANT: That would be a fair
3 payment.

4 THE COURT: All right. Would you raise your
5 right hand and take an oath?

6 NICKOLAS KOSLIN, called as a
7 witness, was sworn and testified as follows:

8 THE COURT: Mr. Welsh?

9 MR. WELSH: Your Honor, the allegations are
10 that the defendant passed the following checks on the
11 following dates from his account:

12 On February 4, 2015, there was a check for \$37.96. That
13 was Check No. 281.

14 On February 12, 2015, \$28.76 on Check No. 282.

15 On February 3, 2015, a check for \$26 at Check No. 312.

16 On February 5, \$12, Check No. 314.

17 On February 4, \$22, Check No. 313.

18 On February 5, \$17, Check No. 315.

19 On February 6, \$18, Check No. 316.

20 On February 9, \$25.48, Check No. 321.

21 On February 8, \$10.28, Check No. 318.

22 And February 9, 2015, \$8, Check No. 317.

23 THE COURT: Mr. Koslin, did you write those
24 bad checks?

25 THE DEFENDANT: Yes, I did.

1 THE COURT: Are you pleading guilty to those
2 ten offenses?

3 THE DEFENDANT: Yes.

4 THE COURT: I'll do an order.

5 AND NOW, September 16, 2015, this matter
6 having come before the Court for a summary appeal
7 hearing and the defendant having appeared as
8 self-represented and entered pleas of guilty to each of
9 the ten bad check citations under Section 4105 (a)(1),
10 all summary offenses, IT IS ORDERED AS FOLLOWS:

11 1. The defendant shall pay the total amount due to
12 Evermoore's Restaurant in the amount of \$705.48, by
13 making payments to the Clerk of Courts of Clarion County
14 of \$350 by October 16, 2015, and the balance of \$355.48
15 to the Clerk of Courts by November 16, 2015.

16 2. With regard to the cost of prosecution, if the
17 defendant is not determined to be in forma pauperis, the
18 defendant shall make payments of cost to the Clerk of
19 Courts of Clarion County of \$25 per month until the
20 total balance due of costs is paid in full. By the
21 Court.

22 So, you need to make arrangements within the
23 next 30 days to come up with \$350 to pay here to the
24 courthouse.

25 THE DEFENDANT: Do I send it here by mail or

1 money order?

2 THE COURT: You can, yes. You might want to
3 stop downstairs on your way out and make arrangements to
4 get information you need in terms of how that can be
5 paid. This is serious business. I expect you to pay
6 it.

7 THE DEFENDANT: I understand it. It's not
8 going to get better in two months. That's the reason I
9 came up here. Seriously, \$750 a month is a lot of
10 money.

11 THE COURT: I understand, but you took
12 advantage of these folks and you need to make it right.
13 If you don't pay, we'll have you back here and --

14 THE DEFENDANT: Throw me in jail.

15 THE COURT: That's a possibility, so you
16 need to get on the stick and make arrangements with some
17 other bills. I mean, we're talking two months, so you
18 should be able to work that out.

19 THE DEFENDANT: I was hoping you'd give me
20 three or four. They'd still get their money.

21 THE COURT: Well, you know what you need to
22 do. Okay. So long. Do we have another case?

23 MR. WELSH: We do have another case. I'd
24 ask for a ten-minute recess prior to that case. It
25 might be a hearing. I would like a couple minutes to

1 see if we can negotiate something.

2 THE COURT: Okay. Court's in recess for ten
3 minutes.

4 (End of Koskin hearing; brief recess taken.)

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1 **CERTIFICATE OF COURT STENOGRAPHER**

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I hereby certify that the
proceedings, evidence and rulings of the Court are
contained fully and accurately in the notes taken by me
on the hearing of the above petition and that it is a
correct transcript of the same.

Tracey Geci-Duncan
Court Stenographer & Notary Public