

EXCERPTS FROM VIOLATION OF PAROLE HEARING - THE HONORABLE

JUDGE SMITH PRESIDING

THE COURT: She is a thief.

MS. DAWSON: It's here because of nonpayment of restitution and a direct violation.

MS. DAWSON: She was arrested in another county where she lives for a controlled substance

We found out about this through a tip.

THE COURT: What's the restitution problem?

MS. DAWSON: She only paid \$320 out of the \$21,000. Balance is \$21,027.65.

What she did, she went to a medical facility, gave them a fake name in an attempt to get drugs.

THE COURT: Sounds like she is operating the same way.

THE COURT: I'm familiar with the modus operandi.

MR. JAMMILL: I don't think any more need be said.

THE COURT: You don't deny she is in violation of probation?

MR. CHARAMELLA: She was found guilty or pled guilty up at State College.

THE COURT: Say the words, "She is in violation, judge." Go on, say it.

MR. CHARAMELLA: She is in violation, judge.

THE COURT: The Court finds the defendant in violation. Probation revoked.

MR. JAMMILL: Whatever you sentence her to, she needs the highest level of supervision.

she needs everybody to be around her because she is a danger to herself.

She needs the highest level of supervision. If that means incarceration, so be it. I don't know if that's a bad thing for someone who can't control themselves.

she can go in and talk to this doctor twice in two months and posing as another person. She is creative in that sense.

THE COURT: Ms. Fernichio, do you want to say anything?

THE DEFENDANT: You know I have been before you.

THE COURT: Do you remember what I told you?

THE DEFENDANT: Not to come back.

THE COURT: She is a thief.

THE COURT: I heard that before, Ms. Fernichio. You know that. I heard about all your medical problems, all the things that your attorney said. This is a reiteration of what I heard before. You're back again. I told you last time, and I cut you a break last time, transferred your probation, serve a little time.

Is five years a long-term probation?

MR. CHARAMELLA: Yes.

THE COURT: I have done that. I tried to do that. It just didn't work. Now we have to try some more jail time. Maybe you'll get it this time.

Defendant is in violation.
Probation revoked. Six to 12 months in prison
followed by a period of four years probation.
Defendant must receive psychiatric
treatment

I'm tired of her
games. I have been through all these games.
I have seen this before. I'm not some rookie
judge.

THE COURT: I told her that. Every
time she sees me I will send her to jail.
Every time --

THE COURT: She is a thief.

THE COURT: Sorry, counsel. She
will do something to somebody and somebody is
going to get hurt, either herself or somebody
else.

THE COURT: She is a thief.

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THE COURT:

Restitution in the amount of the \$21,027.65. It's to be paid during the course of parole and probation.

Ms. Fernichio, I say to you again: The games have to stop. You're not impressing me. Every time I hear of the games, next time I will send you to state prison, wash my hands of you. That's it. You will do two and a half to five in the state pen.

You can write all the letters, and your friends, and all that scheming stuff you want. It won't make a difference.

THE COURT: She is a thief.

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