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OCT 31 2012

Criminal Appeals Unit
First Judicial District of PA

IN THE COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

COMMONWEALTH OF PENNSYLVANIA,

J.P.P.

v.

MUMIA ABU-JAMAL, *Appellant*

Defendant/Appellant.

pp # 469060

Docket No.
CP-51-CR-0113571-1982

Honorable Pamela Dembe

OPEN 2649317-4

Murder

NOTICE OF APPEAL

Judgt. of Sent. 8/13/12

PLEASE TAKE NOTICE, that Defendant/Appellant, MUMIA ABU-JAMAL, hereby appeals to the Pennsylvania Superior Court from each and every aspect of the Judgment of the Court of Common Pleas entered on the docket on October 1, 2012 in the above captioned matter, re-sentencing Mr. Abu-Jamal to life imprisonment and denying Mr. Abu-Jamal's post-sentencing motion.

Post-Sentencing Motions Denied

Judith L. Ritter

Judith L. Ritter
PA Bar No 73429
Widener University School of Law
4801 Concord Pike, Box 7474
Wilmington, DE 19803
(302) 477-2121

Counsel for Defendant/Appellant for purpose of filing Notice of Appeal

Dated: Wilmington, DE
October 31, 2012

Certificate of Service

I, Judith L. Ritter, hereby certify that on this 31st day of October 2012, I served a copy of the within **Notice of Appeal, and Order for Transcript Pursuant to Rule 1911 and 1922**, upon the following individuals by First Class United States Mail, postage prepaid:

Hugh Burns, Jr.,
Office of the District Attorney ✓
Three South Penn Square
Philadelphia, PA 19107-3499

Hon. Pamela Dembe ✓
Court of Common Pleas
Criminal Justice Center
1301 Filbert Street
Philadelphia, PA 19107

Official Court Reporters
100 South Broad Street
Philadelphia, PA 19102



Judith L. Ritter
Counsel for Defendant/Appellant

IN THE COURT OF COMMON PLEAS
PHILADELPHIA COUNTY

COMMONWEALTH OF PENNSYLVANIA,

v.

Docket No.
CP-51-CR-0113571-1982

MUMIA ABU-JAMAL,

Defendant/Appellant.

Honorable Pamela Dembe

ORDER FOR TRANSCRIPT PURSUANT TO RULE 1911 & 1922

A Notice of Appeal having been filed in this matter, the official court reporters are hereby ordered to produce, certify and file transcripts in the above captioned matter, of sentencing proceedings that took place between July 13, 2012, and October 1, 2012, including all exhibits, in conformity with Pa.R.App.P. 1911 and 1922.



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PA Bar No 73429

Widener University School of Law

4801 Concord Pike, Box 7474

Wilmington, DE 19803

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October 31, 2012

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

DOCKET



Docket Number: CP-51-CR-0113571-1982

CRIMINAL DOCKET

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CASE INFORMATION

Cross Court Docket Nos: MC-51-CR-1202731-1981

Judge Assigned: Dembe, Pamela Pryor

Date Filed: 01/14/1982

Initiation Date: 01/14/1982

OTN: Z6493174

Lower Court Docket No: 08112027311

Initial Issuing Authority:

Final Issuing Authority:

Arresting Agency: Philadelphia Pd

Arresting Officer: Affiant

Case Local Number Type(s)

Case Local Number(s)

District Control Number

8106080239

Legacy Docket Number

C8201135711

Legacy Microfilm Number

92044537

PSI Microfilm Number

822529

Police Incident Number

8106080239

STATUS INFORMATION

Case Status: Closed

Status Date

Processing Status

Arrest Date:

12/09/1981

10/31/2012

Awaiting Appellate Court Decision

10/01/2012

Completed

08/23/2012

Awaiting Post Sentence Motion

Hearing Disposition

08/14/2012

Sentenced/Penalty Imposed

03/26/2012

Completed

12/07/2009

Awaiting Appellate Court Decision

11/05/2009

Completed

04/27/2009

Awaiting PCRA Decision

10/21/2008

Completed

07/15/2005

Awaiting Appellate Court Decision

02/11/2005

Completed

01/14/1982

Migrated Case (Active)

Complaint Date:

01/14/1982

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CALENDAR EVENTS

<u>Case Calendar Event Type</u>	<u>Schedule Start Date</u>	<u>Start Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule Status</u>
Post Conviction Relief Act	12/08/2003	8:30 am	206		Scheduled
Post Conviction Relief Act	03/08/2004	8:30 am	200		Scheduled
Post Conviction Relief Act	01/07/2005	8:30 am	200		Scheduled
Post Conviction Relief Act	02/11/2005	8:30 am	707	President Judge Pamela Pryor Dembe	Scheduled
PCRA	08/19/2009	9:00 am	1005	President Judge Pamela Pryor Dembe	Moved
PCRA	08/19/2009	9:00 am	1005	President Judge Pamela Pryor Dembe	Cancelled

DEFENDANT INFORMATION

Date Of Birth: 04/24/1954 City/State/Zip: PHILA., PA 19100

CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Cook, Wesley

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		18 § 907	Poss Instrument Of Crime W/Int	12/09/1981	Z6493174
2	2		18 § 907	Possess Firearm/Other Weapon W/Int	12/09/1981	Z6493174
3	3		18 § 2502	Murder	12/09/1981	Z6493174
4	4		18 § 2503	VOLUNTARY MANSLAUGHTER	12/09/1981	Z6493174
5	5		18 § 2504	INVOLUNTARY MANSLAUGHTER	12/09/1981	Z6493174

DISPOSITION SENTENCING/PENALTIES

<u>Disposition Case Event Sequence/Description</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Sentencing Judge</u>	<u>Offense Disposition</u>	<u>Grade</u> <u>Section</u>
<u>Sentence/Diversion Program Type</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentence Conditions</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>
<u>Linked Offense - Sentence</u>	<u>Link Type</u>	<u>Linked Docket Number</u>

Migrated Disposition

Recent entries made in the court filing offices may not be immediately reflected on these docket sheets . Neither the courts of the Unified Judicial System of the Commonwealth of Pennsylvania nor the Administrative Office of Pennsylvania Courts assume any liability for inaccurate or delayed data, errors or omissions on these reports. Docket Sheet information should not be used in place of a criminal history background check which can only be provided by the Pennsylvania State Police. Moreover an employer who does not comply with the provisions of the Criminal History Record Information Act may be subject to civil liability as set forth in 18 Pa.C.S. Section 9183.

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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>		
<u>Linked Offense - Sentence</u>	<u>Link Type</u>	<u>Linked Docket Number</u>
Migrated Dispositional Event	05/25/1983	Final Disposition
1 / Poss. Instrument Of Crime W/Int	Guilty	18§907§§A
Gallo, Robert C.	05/25/1983	
Confinement	Min of 2.00 Years 6.00 Months	
	Max of 5.00 Years	
Dembe, Pamela Pryor	08/14/2012	
Confinement	Min of 2.00 Years 6.00 Months	
	Max of 5.00 Years	
	2 1/2 - 5 years	
18§2502 - Confinement	Consecutive To Seq. 3	CP-51-CR-0113571-1982
<hr/>		
2 / Possess Firearm/Other Weapon W/Int	Nolle Prossed	18§907§§B
Gallo, Robert C.	05/25/1983	
Confinement	Min of 2.00 Years 6.00 Months	
	Max of 5.00 Years	
Dembe, Pamela Pryor	08/14/2012	
<hr/>		
3 / Murder	Guilty	18§2502
Gallo, Robert C.	05/25/1983	
Death Penalty		
Dembe, Pamela Pryor	08/14/2012	
Confinement	LIFE	
18§907§§A - Confinement	Consecutive From Seq. 1	CP-51-CR-0113571-1982
<hr/>		
4 / VOLUNTARY MANSLAUGHTER	Not Guilty	18§2503
Gallo, Robert C.	05/25/1983	
Dembe, Pamela Pryor	08/14/2012	
<hr/>		
5 / INVOLUNTARY MANSLAUGHTER	Nolle Prossed	18§2504
Gallo, Robert C.	05/25/1983	
Dembe, Pamela Pryor	08/14/2012	

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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>			
<u>Linked Offense - Sentence</u>	<u>Link Type</u>	<u>Linked Docket Number</u>	

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: Christina Allison Swarns
Private

Supreme Court No: 083616

Rep. Status: Active

Phone Number(s):
(212) 965-2267 (Phone)
(212) 219-2052 (Fax)

Address:
NAACP Legal Defense & Educational Fund, Inc.
99 Hudson St 16th Floor
New York NY 10013

Representing: Cook, Wesley

ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	01/14/1982		Unknown Filer
Held for Court			
1	05/25/1983		Migrated, Filer
Migrated Automatic Registry Entry (Disposition) Text			
2	05/25/1983		Migrated, Filer
Migrated Sentence			
1	01/09/2002		Migrated, Filer
APPEAL FILED			
APPEAL FILED			

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ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	07/23/2003		Migrated, Filer
DOCKET CREATED AS OF 07/23/03 DOCKET CREATED AS OF 07/23/03			
2	12/08/2003		Migrated, Filer
PCRA FILE MAINT. SUFFIX D PCRA JUDGE CHANGED FROM 354 DEMBE, PAMELA, P TO 380 KEOGH, D. WEBSTER			
3	12/08/2003		Migrated, Filer
PCRA NEXT ACT/DISP SUFFIX D OLD NXTACT DT 030804 RM 200 EVNT TYP 100 EVNT DT 120803 NEW NXTACT DT 030804 RM 200 EVNT TYP 100 EVNT DT 120803			
4	12/08/2003		Migrated, Filer
PCRA CASE ENTRY SUFFIX D FIRST ACT DT 120803 RM 206 EVNT TYPE 010 EVNT DT 1208			
5	12/08/2003		Migrated, Filer
PCRA NEXT ACT/DISP SUFFIX D OLD NXTACT DT 120803 RM 206 EVNT TYP 010 EVNT DT 120803 NEW NXTACT DT 030804 RM 200 EVNT TYP 100 EVNT DT 120803 EVNT TYP CHG FROM 010-NOTIFICATION - PETITION SENT TO JUDGE TO 100-NOTIFICATION - PETITION SENT TO JUDGE			
1	06/04/2004		Migrated, Filer
APPL DISP POSTING SUFFIX H DISP LETR: NO APPELLATE DISPOSITION LETTER DISP DATE: 10/08/03 DISP CODE: ORDER DENYING PCRA AFFIRMED APPL RETURN DATE: 06/03/04 JURIS-RETAINED: N			
1	08/16/2004		Migrated, Filer
PCRA FILE MAINT. SUFFIX D PCRA JUDGE CHANGED FROM 380 KEOGH, D. WEBSTER TO 354 DEMBE, PAMELA, P			

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1	12/16/2004		Migrated, Filer
PCRA NEXT ACT/DISP SUFFIX D			
OLD NXT ACT DT 030804 RM 200 EVNT TYP 100 EVNT DT 120803			
NEW NXT ACT DT 021105 RM 707 EVNT TYP 070 EVNT DT 120803			
EVNT TYP CHG FROM 100-LISTED FOR STATUS			
TO 070-LISTED FOR STATUS			
2	01/07/2005		Migrated, Filer
PCRA NEXT ACT/DISP SUFFIX D			
OLD NXT ACT DT 021105 RM 707 EVNT TYP 070 EVNT DT 120803			
NEW NXT ACT DT 010705 RM 200 EVNT TYP 09A EVNT DT 120803			
EVNT TYP CHG FROM 070-GENERAL H.U.A.			
TO 09A-GENERAL H.U.A.			
1	02/14/2005		Migrated, Filer
CRIMINAL DOCKET COMMENTS			
COMMONWEALTH'S BRIEF REGARDING THE ABSENCE OF JURISDICITON			
TO CONSIDER DEFENDANT'S THIRD, UNTIMELY PCRA PETITION.			
1	05/27/2005		Migrated, Filer
CRIMINAL DOCKET COMMENTS			
NOTICE PURSUANT TO PA RULE OF CRIMINAL PROCEDURE 909 FILED			
BY JUDGE P. DEMBE			
1	06/16/2005		Migrated, Filer
CRIMINAL DOCKET COMMENTS			
PETITIONER'S RESPONSE TO MEMORANDUM AND ORDER OF			
INTENT TO DISMISS PENDING POST-CONVICTION RELIEF ACT PET-			
ITION WITHOUT A HEARING AND MOTION FOR HEARING AND ORAL			
ARGUMENT FILED BY ROBERT BRYAN, ESQ.			
1	06/17/2005		Migrated, Filer
PCRA NEXT ACT/DISP SUFFIX D			
DISP DATE 061705 RM 206 DISP TYPE 055			
DISP TYPE 055-PCRA DENIED/DISMISSED			
1	07/15/2005		Unknown Filer
Notice of Appeal to the Superior Court			

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<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	08/15/2005		Migrated, Filer
APPEAL CASE FILED SUFFIX I ATTY. IS NOT IN THE ATTY. INQUIRY, HE'S FROM CA NEW ENTRY: 08/15/05 APPEAL JUDGE: PAMELA DEMBE DATE APPEAL ORDERED: 06/17/05 TYPE APPEAL: PCRA-DISMISSAL APPEAL MOST SERIOUS CHARGE 11000 MURDER-1ST DEGREE LEAD ATTORNEY: 00008 ATTY TO BE RETD SOURCE: PRIVATELY RETAINED DATE FILED: 07/15/05 APPEAL TO: SUPERIOR COURT DOCKET PAGE: 0930 FILE STATUS: FILE LOCATED TYPE PAYMENT: CHECK BY ATTORNEY FILED BY: DEFENSE COUNSEL - PRIVATE			
2	08/15/2005		Migrated, Filer
APPL FILE MAINT SUFFIX I APPEAL TO CHANGED FROM SUPERIOR COURT TO SUPREME COURT			
3	08/15/2005		Migrated, Filer
APPL FILE MAINT SUFFIX I APPEAL TO CHANGED FROM SUPREME COURT TO CAPITAL APPEAL			
1	08/16/2005		Migrated, Filer
APPL FILE MAINT SUFFIX I DATE OPINION FILED CHANGED FROM 00/00/00 TO 05/27/05			
1	10/21/2008	02/19/2008	Supreme Court of Pennsylvania - Eastern District
Affirmed - Supreme Court			
D1/1	04/20/2009		Ritter, Judith L.
Petition for Writ of Habeas Corpus/ Post Conviction Relief and Consolidated Memorandum of Law Filed			

COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY

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D2/1	07/15/2009		Commonwealth of Pennsylvania
Commonwealth Motion to Dismiss Untimely Fourth PCRA Petition			
D3/1	07/31/2009		Dembe, Pamela Pryor
PCRA - Dismissal Notice Under Rule 907 Filed			
D4/1	08/18/2009		Dembe, Pamela Pryor
PCRA - Dismissal Notice Under Rule 907 Filed			
D5/1	11/05/2009		Dembe, Pamela Pryor
Memorandum and Order Denying Post-Conviction Relief Act Petition and Memorandum Opinion			
Commonwealth of Pennsylvania			
	11/05/2009	First Class	
Cook, Wesley			
	11/05/2009	First Class	
Ritter, Judith L.			
	11/05/2009	First Class	
D6/1	12/07/2009		Ritter, Judith L.
Notice of Appeal to the Supreme Court			
PCRA J. Dembe			
reconstructed file located			
Dembe, Pamela Pryor			
	12/03/2009	First Class	
Philadelphia County District Attorney's			
Office			
	12/03/2009	First Class	
D6A/2	12/07/2009		Ritter, Judith L.
Motion for Transcripts			
3	12/07/2009		Court of Common Pleas - Philadelphia County
Case Correspondence			
Record sent Copy Center and will be transmitted to Supreme Court upon its return.			

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D7/A	12/07/2009		Court of Common Pleas - Philadelphia County
Notice to Supreme Court Prothonotary's Office - Duplicate Record Original Record out to Appellate Court(s)			
5	12/07/2009		Court of Common Pleas - Philadelphia County
Appeal Docket Entries and Served			
6	12/07/2009		Court of Common Pleas - Philadelphia County
Certificate and Transmittal of Record to Appellate Court			
1	01/19/2010	01/14/2010	Supreme Court of Pennsylvania - Eastern District
Appeal Docket Sheet from Supreme Court of PA 602 CAP			
1	12/06/2011		Philadelphia County Clerk of Courts
Federal Habeas Corpus Order			
<p>AND NOW THIS 6th day of December 2011, in accordance with this Court's Memorandum Opinion and Order dated December 18, 2001 which granted petitioner's petition for writ of habeas corpus only as to claim 25 relating to the sentencing phase of the trial; and the opinion of the U.S. Court of Appeals for Third Circuit filed April 26, 2011 affirming that order; and the petitioner's petition for certiorari, docketed at Supreme Court #11-49 having been denied by the United States Supreme Court; and the order and mandate of the U.S. Court of Appeals for the Third Circuit filed October 19, 2011; IT IS HEREBY ORDERED that the Commonwealth of Pennsylvania may conduct a new sentencing hearing within 180 days of the date of this order, during which period the execution of the writ of habeas corpus will be stayed, or shall sentence the petitioner to life imprisonment.</p>			
William H. Yohn, Jr., Judge			
1	03/26/2012		Supreme Court of Pennsylvania - Eastern District
Affirmed - Supreme Court			
1	07/13/2012		Court of Common Pleas - Philadelphia County
Reconstructed Record Returned Date to Appeal Unit			

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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>
1	08/13/2012		Dembe, Pamela Pryor
Amended Sentencing Order			
AND NOW this 13th day of August 2012, the Commonwealth having not requested a new sentencing hearing in the above-captioned matter within 180 days as provided in the Order entered on December 6, 2011, Mumia Abu-Jamal v. Martin Horn, et al, No.99-CV-050809(ED PA 2011), it is HEREBY DECREED that Mumia Abu-Jamal is sentenced to life imprisonment. This order is entered pursuant to PA R A P 2591.			
Commonwealth of Pennsylvania			
08/21/2012	Interoffice		
Cook, Wesley			
08/21/2012	First Class		
Ritter, Judith L.			
08/21/2012	First Class		

1	08/14/2012		Philadelphia County Clerk of Courts
Corrective Docket Entry			
Corrected Migrated Sentence per Microfilm.....file unavailable.			

2	08/14/2012		Dembe, Pamela Pryor
Order - Sentence/Penalty Imposed			
Per Federal Order of 12/06/11 the sentence of death is vacated and a new sentence of Life Imprisonment is imposed.			

1	08/23/2012		Cook, Wesley
Post-Sentence Motion			

1	09/10/2012		Commonwealth of Pennsylvania
Commonwealth Motion to Dismiss PCRA Petition			

1	10/01/2012		Dembe, Pamela Pryor
Order Denying Post-Sentence Motion			
Cook, Wesley			
10/01/2012	First Class		
Philadelphia County District Attorney's Office			
10/01/2012	First Class		
Ritter, Judith L.			
10/01/2012	First Class		

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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>
1	10/03/2012		Swarns, Christina Allison
Entry of Appearance			
1	10/31/2012		Ritter, Judith L.
Notice of Appeal to the Superior Court			
Order J. Dembe			
file located and 4 boxes of notes			
Dembe, Pamela Pryor			
10/31/2012	First Class		
Philadelphia County District Attorney's			
Office			
10/31/2012	First Class		
2	10/31/2012		Ritter, Judith L.
Motion for Transcripts			
1	11/07/2012		Dembe, Pamela Pryor
Order Issued Pursant to Pa.R.A.P. 1925(b)			
Cook, Wesley			
11/07/2012	First Class		
Philadelphia County District Attorney's			
Office			
11/07/2012	First Class		
Ritter, Judith L.			
11/07/2012	First Class		