LANCASTER COUNTY MAGISTERIAL DISTRICT COURT 02-2-03

SANDRA L. HIGH-KULP
District Justice

717-299-7898
Telephone

117-A South West End Avenue
Lancaster, PA 17603-3241

FOR: D.J. Bomgardner INTERPRETER N/A

DEF. NAME: Mark Ennis AGE: 39

ADDRESS: 740 N Duke St 5L OWN/RENT HOW LONG ____

PHONE: 3967923

HOW LONG IN LANCASTER: 10yr. MOVED HERE FROM: Brooklyn N.Y.

ARRESTS: CHARGES: Simple Assault (DV) 2ct

RAP SHEET Y (N)

LIVES WITH: Alone CHILDREN ____

EMPLOYMENT: F+M College HOW LONG 5 yr.

MARRIED SINGLE SEPARETED DIVORCED ILL/INJURED ____

DRUGS: COCAINE CRACK HEROIN MARIJUANA ALCOHOL OTHERS - DV/OTHER VIOLENCE Y/N

BAIL ACTION: ROR NMON MONT USBL 10%

$____ $____ $2,500

BAIL POSTED COMMITTED DETAINER BENCH WARRANT

WARRANT/~~RULE 102~~

DATE: 6-1-98 TIME: 9:45 (A)/P PRHG DATE: 6-8-98 TIME: 3 A/(P)

COPY OF COMPLAINT TO DEF.____ ADVISED RIGHT TO BAIL ✓

ADVISED RIGHT TO COUNSEL____ ADVISED RIGHT TO PRHG ✓

NOTE:

COMMONWEALTH OF PENNSYLVANIA
COUNTY OF: LANCASTER

POLICE CRIMINAL COMPLAINT

COMMONWEALTH OF PENNSYLVANIA

Magisterial District Number:	02-2-02
District Justice Name: Hon.	DJ Vicki Bomgardner
Address:	225 W. King St Lancaster, PA 17603
Telephone: (717)	295-2000

VS.

DEFENDANT: 3068-1998

NAME and ADDRESS

Ennis,Mark W/M/39
740 N.Duke st. #5L
Lancaster, PA 27602

Docket No.: CR-179-98
Date Filed: 6-1-98
OTN: F 261890-5

Defendant Race/Ethnicity	Defendant's Sex	Defendant's D.O.B.	Defendant's Social Security Number	Defendant's SID
☒ White ☐ Asian ☐ Black ☐ Hispanic ☐ Native American ☐ Unknown	☐ Female ☒ Male	08/28/58	UNK.	

Defendant's A.K.A.	Defendant's Vehicle Information: Plate Number	State	Registration Sticker (MM/YY)	State	Defendant's Driver's License Number
na	na	NA	na	NA	

Complaint/Incident Number	Complaint/Incident Numbers if other Participants LOTN:	UCR/NIBRS Code
98-22718		2803

District Attorney's Office ☐ Approved ☐ Disapproved because: _____
(The district attorney may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. Pa.R.Cr.P. 107.)

(Name of Attorney for Commonwealth – Please Print or Type) (Signature of Attorney for Commonwealth) (Date)

I, Off. Paul J. Almodovar 77
(Name of Affiant – Please Print or Type) (Officer Badge Number/I.D.)

of Lancaster City Bureau of Police PA0360500
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number) (Originating Agency Case Number (OCA))

do hereby state (check the appropriate box):

1. ☒ I accuse the above named defendant who lives at the address set forth above
   ☐ I accuse the defendant whose name is unknown to me but who is described as _____
   ☐ I accuse the defendant whose name and popular designation or nickname is unknown to me and whom I have therefore designated as John Doe
   with violating the penal laws of the Commonwealth of Pennsylvania at 740 N. Duke st. #5L Lancaster
   in Lancaster City Lancaster County on or about 1800 hrs. 5/30/98 and 0600 hrs 5/31/98
   Participants were: (if there were participants, place their names here, repeating the name of above defendant)
   Mark Ennis

2. The acts committed by the accused were:
   (Set forth a summary of the facts sufficient to advise the defendant of the nature of the offense charged. A citation to the statute allegedly violated, without more, is not sufficient. In a summary offense, you must cite the specific section and subsection of the statute or ordinance allegedly violated)

CT1 Simple Assault (Domestic Violence)
A person is guilty of assault if he; attempts to cause or intentionally, knowingly or recklessly causes bodily injury to another. TO WIT : The suspect (Ennis), during the course of an argument with the victim (Gretchen Whalen) did grab Whalen by the throat in a choke hold, did kick Whalen once to the chest area and once to the stomach area and did bite Whalen once to the right leg inside thigh causing visible injuries. Whalen did go to Lancaster General Hospital for her injuries. This assault did occur 1800 hrs. 5/30/98 at 740 N. Duke St #5L

CT2 Simple Assault (Domestic Violence)
A person is guilty of assault if he; attempts to cause or intentionally, knowingly or recklessly cause bodily injury to another. TO WIT: The suspect did slap a Gretchen Whalen, 5 times to the face area and did bite Whalen once to the left leg inside thigh. The suspect also slapped Gretchen Whalen to the body area. Injuries were visible on the victim. Whalen was treated at Lancaster General Hospital. This second assault did occur 0600 hrs. 5/31/98

merge into one count

psd

(Continuation of No. 1)

Defendant's Name:	Ennis, Mark
Docket Number:	

POLICE CRIMINAL COMPLAINT

all of which were against the peace and dignity of the Commonwealth of Pennsylvania and contrary to the Act of Assembly, or in violation of

	(Section)	(Subsection)		(PA Statute)	(Counts)
1.	2701	(a)(1)	of the	PA CRIMES CODE	1
2.	~~2701~~	~~(a)(1)~~	~~of the~~	~~PA CRIMES CODE~~	~~2~~
3.			of the		
4.			of the		

3. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made. **(In order for a warrant of arrest to issue, the attached affidavit of probable cause must be completed and sworn to before the issuing authority.)**

4. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 PA. C.S. § 4904) relating to unsworn falsification to authorities.

5-31, 1998 Paul J Armbrn / Almodovar 77
(Signature of Affiant)

AND NOW, on this date May / 31, 1998, I certify that the complaint has been properly Completed and verified. An affidavit of probable cause must be completed in order for a warrant to issue.

223
(Magisterial District)

[signature] SEAL
(Issuing Authority)

Defendant's Name:	Ennis, Mark
Docket Number:	

POLICE CRIMINAL COMPLAINT

AFFIDAVIT OF PROBABLE CAUSE

1) 0940 hrs 5/31/98, Off. Almodovar was sent to Lancaster General regarding; Assault
Upon arrival spoke with the victim a Gretchen Whalen W/F/37, who related the following.

2) Whalen said that approximately 1800 hrs. 5/30/98, at 740 N. Duke st # 5L, residence of the suspect (Ennis), that she had a verbal confrontation with the suspect. Whalen said that during this confrontation the suspect did grab her by the throat and began to choke her. Whalen said that as she was trying to get away the suspect kicked her once to the chest area and once to the stomach area. Whalen said that the suspect also bit her once to the right leg(inside thigh), causing noticable injuries. Whalen did go to LGH to seek medical attention for her injuries.

3) Whalen said when she got back to the residence (740 N. Duke st) the suspect was gone. Whalen said that at approximately 0600 hrs. 5/31/98, she was awaken by the suspect who had arrived home from work. Whalen said once again Ennis started to fight with her. Whalen said, that Ennis did slap her 5times to the face area,and about her back and upper body. Whalen said that the suspect did bite her once to the left leg (inside thigh), causing visible injuries. Whalen said that she was able to get away from the suspect and go to LGH to get medical treatment for her injuries for the second assault. Pictures were taken at the hospital regarding the bite marks on the legs by Off. Almodovar.

4) Whalen said that the two of them have been living together at 740 N. Duke st for a little over a year.

5) Due to nature of injuries Off. Almodovar charged the suspect (Ennis) with 2 counts of Simple Assault (DV), on information received.

I, Off. Paul J. Almodovar, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Paul J Almodovar 77
(Signature of Affiant)

Sworn to me and subscribed before me this 31 day of May, 1998.

5/31/98 Date _____, District Justice

My commission expires first Monday of January, 2000

SEAL

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA--CRIMINAL

COMMONWEALTH OF PENNSYLVANIA

vs. **Criminal Action No: 3068 of 1998**

MARK ENNIS

The District Attorney of Lancaster County, by this information charges that on (or about) May 30 and May 31, 1998, in said Lancaster County, Mark Ennis (who at all times hereafter shall be referred to and called by the name of actor).

Count 1 - attempts to cause or intentionally, knowingly, or recklessly causes bodily injury to another; **TO WIT:** During the course of an argument with his girlfriend, Gretchen Whalen, Actor grabbed her by the throat in a choke hold, kicked her in the chest and stomach area and bit her in the right inner thigh causing her visible bruising. The Actor also slapped the victim numerous times about the face and body, causing more visible bruising. Said offense occurred at 740 North Duke Street, #5L, Lancaster, Pennsylvania, Lancaster City, in Lancaster County.

All of which is against the Act of Assembly and the peace and dignity of the Commonwealth of Pennsylvania.

District Attorney

SEE/bsb

Date: 9/15/98

Information No. 3068 of 1998

COMMONWEALTH OF PENNSYLVANIA
vs.
MARK ENNIS

CITATION OF STATUTE(S) AND SECTION(S)
Simple Assault 18 PS 2701 (a-1) M-2

Commonwealth's Witnesses:

Officer Paul Almodovar - Lancaster City Police Department; 39 East Chestnut Street, Lancaster, PA 17602
*Gretchen Whalen - 1009 Shadow Stone Drive, Lancaster, PA 17603

No. 3068 Term 19 98

Guilty Plea

Commonwealth

vs.

MARK ENNIS
(Defendant)

SIMPLE ASSAULT M2
(Offense)

I, defendant within named, in the presence of my counsel, do hereby enter my plea of guilty to the within information. Further, being advised of the offense charged in the information and of my rights, hereby (in open court) consent to proceed on the within information presented by the attorney for the Commonwealth.

x Mark Ennis
(Defendant)

Dated: X 9.16.98

Counsel M. WINTERS M.T. Winters

SENTENCING ORDER

Page 1 of 1

Dkt. No. 3068-1998 OTN F261896-5 Date 9/10/98

Defendant MARK ENNIS Judge ALLISON

Offenses S.A. M2 D.A. NAST

G.P. X St. ____ Plea Agree. X Mod. ____ Def. Atty. Winters

Nolo ____ N/Pros. ____ ARD ____ Sentencing ____ Reporter MCPHERSON

Re-sent ____ Sum. Appeal ____ Other ____ Clerk BARTON

COUNT: OFFENSE S.A. M2 Nol Pros ____ Merges with ____

Committed: ____ yr ____ mo ____ days ____ hrs TO ____ yr ____ mo ____ days

☐ Mandatory Probation/ARD 2 yr ____ mo ____ days SERVE AT LCP ____ SCI ____

Sentence Intermediate Punishment Program ____ **see additional sheet

☐ Split FINE ____ & Costs CONC (cc) ____

Sentence RESTITUTION X CONS (cs) ____

COUNT: OFFENSE ____ Nol Pros ____ Merges with ____

Committed: ____ yr ____ mo ____ days ____ hrs TO ____ yr ____ mo ____ days

☐ Mandatory Probation/ARD ____ yr ____ mo ____ days SERVE AT LCP ____ SCI ____

Sentence Intermediate Punishment Program ____ **see additional sheet

☐ Split FINE ____ & Costs CONC (cc) ____

Sentence RESTITUTION ____ CONS (cs) ____

COUNT: OFFENSE ____ Nol Pros ____ Merges with ____

Committed: ____ yr ____ mo ____ days ____ hrs TO ____ yr ____ mo ____ days

☐ Mandatory Probation/ARD ____ yr ____ mo ____ days SERVE AT LCP ____ SCI ____

Sentence Intermediate Punishment Program ____ **see additional sheet

☐ Split FINE ____ & Costs CONC (cc) ____

Sentence RESTITUTION ____ CONS (cs) ____

COUNT: OFFENSE ____ Nol Pros ____ Merges with ____

Committed: ____ yr ____ mo ____ days ____ hrs TO ____ yr ____ mo ____ days

☐ Mandatory Probation/ARD ____ yr ____ mo ____ days SERVE AT LCP ____ SCI ____

Sentence Intermediate Punishment Program ____ **see additional sheet

☐ Split FINE ____ & Costs CONC (cc) ____

Sentence RESTITUTION ____ CONS (cs) ____

____ Impaired Driver Program

____ ACT 122 Treatment Imposed

____ Motor Vehicle essentially involved

X Drug & Alcohol Eval/Treatment

____ Eval. for Spec. Offender Svc./Psych. Eval./Treat.

____ Community Service ____ hours

____ Pay within ____ yr ____ mo ____ days

____ Restitution to be paid first

MUST ATTEND ANGER MANAGEMENT PROGRAM OR OTHER COUNSELING

NO CONTACT W/ VICTIM

____ Credit for time served ____

(Subject to verification)

____ Sent. Deferred to: Date ____ Time ____

____ Work Release Approved ____

____ Parole w/o Pet. Subj. to Beh. ____

____ House Arrest/Elect. Mont. ____

____ Eligible for BOOT CAMP

BY THE COURT:

Prepared by: JANICE BARTON
Clerk

J.

PLEA AGREEMENT

The subscribing parties certify that the following facts are accurate and the plea agreement to be voluntarily and intelligently executed with full knowledge of the maximum possible sentences:

DEFENDANT MARK ENNIS

TERM & NUMBER	OFFENSES	PLEA (GUILTY OR NOL PROS)
1. 3068-1998	SIMPLE ASSAULT M2	GUILTY
2.		
3.		
4.		
5.		

AGREED SENTENCE

OFFENSE	JAIL (a)	PROBATION (b)	FINE	DEFENDANT TO PAY (c) COSTS	REST.
1.	X	2 years	--	YES	YES
2.					
3.					
4.					
5.					

SENTENCES TO BE: CONSECUTIVE _____ CONCURRENT _____

(a) Condition(s) of Parole _____

(b) Condition(s) of Probation DEFENDANT TO ATTEND AND PAY COST OF BATTERS INTERVENTION SERVICE PROGRAM or other appropriate counseling AND D&A EVALUATION AND COUNSELING. No contact with victim, Gretchen Whalen

(c) Fine(s), costs, restitution to be fully paid within 12 months.
Payments to be applied to restitution first? Y

DATE SIGNED 9/16/98 DEFENDANT Mark Ennis

DEFENSE COUNSEL M. L. Winter WINTER

Asst DISTRICT ATTORNEY

PRESENTED TO JUDGE _____ ON _____

ACCEPTED _____ REJECTED _____

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA

CIVIL

Gretchen S. Whalen
PLAINTIFF

VS.

Mark Ennis
DEFENDANT

PROTECTION FROM ABUSE

CI-98-10013

PRO SE PETITION FOR TEMPORARY ORDER FOR PROTECTION FROM ABUSE

TO THE HONORABLE, THE JUDGES OF SAID COURT:

1. My name is Gretchen S. Whalen (Plaintiff). I am an adult individual (or an emancipated minor).

(~~X~~) I live at confidential, Lancaster County, Pennsylvania; OR

(X) I am living in this County at an undisclosed address for my own protection and will reveal my address to the court upon request.

2. I seek temporary and final protection orders under the Protection From Abuse ACT, 35 P.S. §10181 et seq, as amended. I seek help for myself and any minor child(ren) residing with me.

3. The Defendant is Mark Ennis who lives at 740 N. Duke Apt 5-L, Lancaster PA 17602.

4. The Defendant is employed at Franklin & Marshall College The Defendant is my boyfriend (ex) (state relationship)

5. Briefly describe the most recent incident of abuse including weapons used, injuries sustained and medical treatment if any.

Date: 9/7-8 1998 Time: 9:15PM-1:00 PM Location: 740 N. Duke St, Apt 5-L Lancaster, PA

After returning from service work, Mark entered the bedroom and began yelling re: Window shade w/ broken cord. The rage, according to him, was due to my actions and behaviors, (for example) such as borrowing the car

w/o asking a week before; borrowing some loose change that was paid back immediately; a wrong number phone call that was returned. I was hit in the face, first and beaten over and over throughout the night. The phone cords were cut so I couldn't get help and my life was threatened when I wanted to leave for help. He threw many objects including the stereo on me. I was dragged and thrown on the floor.

6. Defendant has physically abused me in the past. State an approximate date for each incident.

A. no/yr - 5/30/98 - beat, kicked and hit me for approx. 1 hour after verbal battering for no apparent reason

B. no/yr - 5/31/98 - returned from work @ 4:00 AM and resumed hitting, kicking, biting and dragging me

7. I am in immediate danger of further abuse and a court order is necessary to protect me and/or my child(ren).

8. Defendant and I are the parents of the following minor child(ren): Please state names and ages_____

The following minor child(ren), who are not the Defendant's child(ren), live with me:

9. If Defendant has physically or sexually abused any of the child(ren) or if the child(ren) have witnessed the Defendant's abusive conduct, please describe below.

VERIFICATION OF INABILITY TO PAY COSTS

IN PRO SE PROTECTION FROM ABUSE CASE

PLAINTIFF Gretchen Whalen

VS

DEFENDANT Mark Farris

No. _____

Plaintiff should complete the following information if requesting to file a Pro Se Petition for Protection from Abuse without prepayment of filing and/or service costs.

PLAINTIFF'S ADDRESS Confidential

TELEPHONE NUMBER (Confidential) 872-5426 SOCIAL SECURITY NUMBER 180-38-376

DATE OF BIRTH 1-16-61 SINGLE/MARRIED/DIVORCED/SEPARATED _____

HOW MUCH MONEY DO YOU HAVE AVAILABLE TO PAY? _____

PLACE OF EMPLOYMENT Unemployed TELEPHONE# _____

LENGTH OF EMPLOYMENT _____ CONTACT PERSON _____

INCOME: GROSS N/A NET _____

LAST EMPLOYMENT N/A TELEPHONE# _____

SPOUSE'S EMPLOYMENT _____

SPOUSE'S INCOME: GROSS _____ NET _____

DO YOU COLLECT WELFARE OR OTHER ASSISTANCE? NO AMOUNT _____

DO YOU HAVE ANY OTHER INCOME OR MONEY? Yes → Unemployment $131.00/wk

WHERE DO YOU BANK? NO TYPE OF ACOUNT(S) _____

DO YOU OWN ANY PROPERTY OR OTHER ASSETS? NO.

DO YOU OWE ANYONE MONEY? Yes → Medical Bureau → thousands

DO YOU OWN YOUR HOME? NO VALUE _____ MORTGAGE _____

DO YOU RENT? NO MONTHLY RENT _____ LANDLORD _____

DO YOU LIVE IN ANOTHER PERSON'S HOME? Yes WHOSE? Mothers (Confidential) BOARD _____

DO YOU OWN A VEHICLE? NO YEAR AND MAKE _____ VALUE _____

HOW MANY PEOPLE DO YOU SUPPORT? _____ NAMES & AGES _____

Gretchen Whalen - 37 yrs. old.

AFFIDAVIT

Commonwealth of Pennsylvania
County of Lancaster : ss: 180-38-3767

Gretchen Whalen, being duly sworn according to law, upon (his/her) oath, deposes and says:

[1] I am the petitioner in the foregoing entitled matter.

[2] I have read the foregoing petition and understand the contents thereof. I declare that matters pertaining to me are true and correct within my own information, knowledge and belief. As to matters therein stated to be alleged to persons other than myself, I believe them to be true.

[3] This affidavit is made to inform the Court as to my status of indigency and to induce the Court to accept my Pro Se Petition for Temporary Order for Protection From Abuse without prepayment of filing and/or service costs.

[4] In making this affidavit, I am aware that PERJURY is a felony of the third degree and that the punishment is a fine of not more than $15,000 or imprisonment of not more than seven years or both.

[5] I further authorize any persons or agencies named in this application having information about my financial condition and health to release such information to the duly authorized official of the Court. This information may be used only in advising the Court concerning my finances, income and health so that the Court may determine my eligibility to file my petition without prepayment of costs. In particular, I do authorize and empower the Internal Revenue Service, my employers, any banks, the Department of Public Welfare and/or the Social Security Administration to release any information pertaining to my health or financial situation.

Gretchen Whalen 9-10-98
Signature Date

Blanca Torres-Rodz
Witness

COMPUTER VERIFIED DATE SEP 11 1998 INITIALS MB 9-14-98 SW

FOR OFFICIAL USE ONLY:

Based on the criteria approved by the Court, the petitioner is determined to be (indigent) or (not indigent). 9-10-98

BY: Blanca Torres-Rodz
Date

BAIL 7-89