



APPELLATE COURT ACTION

DATE:

Opinion by: \_\_\_\_\_

- Judgment of sentence affirmed by Superior Ct.
- Order \_\_\_\_\_ affirmed by Superior Court.
- Judgment of sentence/order \_\_\_\_\_ reversed/vacated.

7-28-93

- Miscellaneous Disposition: APPEAL DISMISSED WITHOUT PREJUDICE TO PCRA. COUNSEL FEES WITHHELD FROM JOSEPH A. CANUSO.

- Petition for Allowance of Appeal to the Supreme Court, filed \_\_\_\_\_
- Petition for Allocatur Denied.
- Petition for Allocatur Granted, Appeal Docket # \_\_\_\_\_
- Record sent to Supreme Court \_\_\_\_\_
- Decision of the Supreme Court:

9-27-93

- Record returned to the Jurisdiction of the Court of Common Pleas PHILADELPHIA Defendant in DALLAS at # BU-5330
- Disposition Code 044 Letter Code F
- Record to: Microfilm: \_\_\_\_\_  
Other: ✓ PCRA

10-20-93

- DEPT. RESPONSE YES LIST 38.

11-12 C47



COURT OF COMMON PLEAS  
TRIAL DIVISION  
APPEALS UNIT  
ROOM 601 CITY HALL  
PHILADELPHIA, PA. 19107

686-4285,2623

ALEX BONAVIDACOLA  
ADMINISTRATIVE JUDGE  
TRIAL DIVISION

JOANNE MORELLI BESDEN  
SUPERVISOR

LEGROME D. DAVIS  
SUPERVISING JUDGE  
CRIMINAL DIVISION

October 1, 1993

Mr. Wayne Schellinger, BU-5330  
State Correctional Institute-Dallas  
Dallas, Pennsylvania 18612-0286

Dear Mr. Schellinger:

In re: C.P. # 9104-2384, 2386

Please see the attached Order entered in the Superior Court in reference to your appeal. The appeal was dismissed due to counsel's failure to file a brief, without prejudice to appellant's rights under the Post Conviction Relief Act.

PCRA Petitions and assistance in completing same are usually available through the law clinic. Once completed, file your Petition with Room 758 City Hall. An attorney will be appointed and your case will be reviewed on an individual level.

If you do not file a PCRA Petition, but want your appellate rights re-instated, you must notify this office in writing within thirty (30) days. If we receive a positive response from you, your case will be placed on a list for the appointment of counsel for the purpose of an appeal, Nunc Pro Tunc. This is often a lengthy procedure because of the volume of cases processed in this manner. Your patience is appreciated.

Therefore, if we do not hear from you within thirty (30) days, we will assume that you either have taken steps to file your own PCRA Petition; or, do not desire to pursue an appeal in this matter.

Very truly yours,

(Miss) *Angela J. Bernhard*  
Angela J. Bernhard

AJB

cc: Court Record  
044 notification file

10-20-93 DEFT. RESPONDS YES. HIST 38



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CRIMINAL DIVISION

October 20, 1993

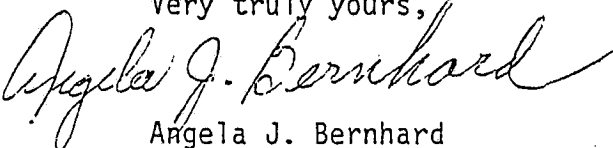
Mr. Wayne Schellinger, BU-5330  
State Correctional Institute-Dallas  
Drawer K  
Dallas, Pennsylvania 18612-0286

Dear Mr. Schellinger:

Receipt is acknowledged of your letter dated October 17, 1993.

This is to advise you that your name will be put on a list for the appointment of counsel. You will be on List 38. The PCRA Unit is currently working on List 36. As explained previously this is a very slow process, so your patience will be appreciated.

Very truly yours,

  
Angela J. Bernhard

AJB



NELSON A. DIAZ  
ADMINISTRATIVE JUDGE  
TRIAL DIVISION

COURT OF COMMON PLEAS  
TRIAL DIVISION  
APPEALS UNIT  
ROOM 601 CITY HALL  
PHILADELPHIA, PA. 19107  
686-4285, 2623

JOSEPH A. LANZALOTTI  
DEPUTY COURT ADMINISTRATOR

DOCKET ENTRIES

COMMONWEALTH

VS.

WAYNE SCHELLINGER

1991 April

2384 Murder; Voluntary Manslaughter

2386 Possessing Instruments of Crime Generally;  
Possessing Instruments of Crime-Concealed  
Weapon

DATE

DOC. #

DOCUMENT DESCRIPTION

5/2/91

-

- Court Room 646  
Court Reporter L. Amatucci  
Defense Counsel J. Canuso  
Honorable William Manfredi, Presiding
- The defendant, W. Schellinger, has been  
arraigned under Penna. Criminal Code Section  
303-306.  

Manfredi, J.
- Defendant waived formal arraignment. Not  
Guilty plea entered to all charges. Informal  
discovery completed. Run date 11/18/91. No  
notices. Continue 5/30/91 for status.  

Manfredi, J.

DOCKET ENTRIES - WAYNE SCHELLINGER - PAGE 2

<u>DATE</u>	<u>DOC. #</u>	<u>DOCUMENT DESCRIPTION</u>
5/30/91	-	- Court Room 646 Court Reporter H. Christian Defense Counsel J. Canuso Honorable William Manfredi, Presiding
		- Advance defense request. Attorney unavailable. Continue 6/26/91 for status. Time excludable.  Manfredi, J.
6/26/91	-	- Court Room 646 Court Reporter M. Kerr Defense Counsel J. Canuso Honorable William Manfredi, Presiding
		- Defense requests continuance for prepara- tion; investigation of expert witness. Continue 7/24/91 for status. Time excludable.  Manfredi, J.
6/26/91	D-1	- Motion to Suppress Statements.
7/24/91	-	- Court Room 646 Court Reporter L. Amodei Defense Counsel J. Canuso Honorable William Manfredi, Presiding
		- Defense requests continuance for preparation and investigation. Continue 9/9/91 for status of ready pool assignment. Time excludable.  Manfredi, J.

DOCKET ENTRIES - WAYNE SCHELLINGER - PAGE 3

<u>DATE</u>	<u>DOC. #</u>	<u>DOCUMENT DESCRIPTION</u>
8/28/91	-	- Court Room 285 Court Reporter J. Cahill Defense Counsel J. Canuso Honorable Joseph O'Keefe, Presiding
		- Court hereby allowed Dr. William O'Brien to examine defendant in City Hall cell- room. List for status. Continue 9/9/91, Room 646. O'Keefe, J.
10/7/91	-	- Court Room 646 Court Reporter L. Amodei Defense Counsel J. Canuso Honorable William Manfredi, Presiding
		- List for possible non-trial disposition. Continue 10/8/91, Room 646. Manfredi, J.
10/8/91	-	- Court Room 646 Court Reporter L. Amodei Defense Counsel J. Canuso Honorable William Manfredi, Presiding
		- Case placed in ready pool. Waiver. Manfredi, J.
10/28/91	-	- Court Room 285 Defense Counsel J. Canuso Honorable William Mazzola, Presiding
		- List for back-up trial. Continue 11/18/91, Room 285. Mazzola, J.

DOCKET ENTRIES - WAYNE SCHELLINGER - PAGE 4

<u>DATE</u>	<u>DOC. #</u>	<u>DOCUMENT DESCRIPTION</u>
11/18/91	-	<ul style="list-style-type: none"><li>- Court Room 285 Court Reporter C. Queen Honorable William Mazzola, Presiding</li><li>- Listed for trial in back-up. Continue 12/5/91, Room 285. Mazzola, J.</li></ul>
12/5/91	-	<ul style="list-style-type: none"><li>- Court Room 285 Court Reporter Maureen Rible Defense Counsel Joseph Canuso Honorable William Mazzola, Presiding</li><li>- Motion to suppress any and all statements made at time of arrest heard and denied.</li><li>- Formal arraignment waived. Defendant enters a plea of Not Guilty to all listed charges and waives his right to a trial by jury. Mazzola, J.</li></ul>
12/9/91	-	<ul style="list-style-type: none"><li>- Court Room 285 Court Reporter Stanley Wilder Defense Counsel Joseph Canuso Honorable William Mazzola, Presiding</li><li>- On Bill # 2384 adjudged Guilty as to Murder in the First (1st) Degree-Mentally Ill.</li><li>- On Bill # 2386 adjudged Guilty</li><li>- Pre-Sentence investigation/mental health evaluation ordered. Sentencing deferred pending receipt of reports and filing/ disposition of Post Verdict Motions. Continue 2/11/92, Room 253.</li><li>- Bail revoked. Mazzola, J.</li></ul>



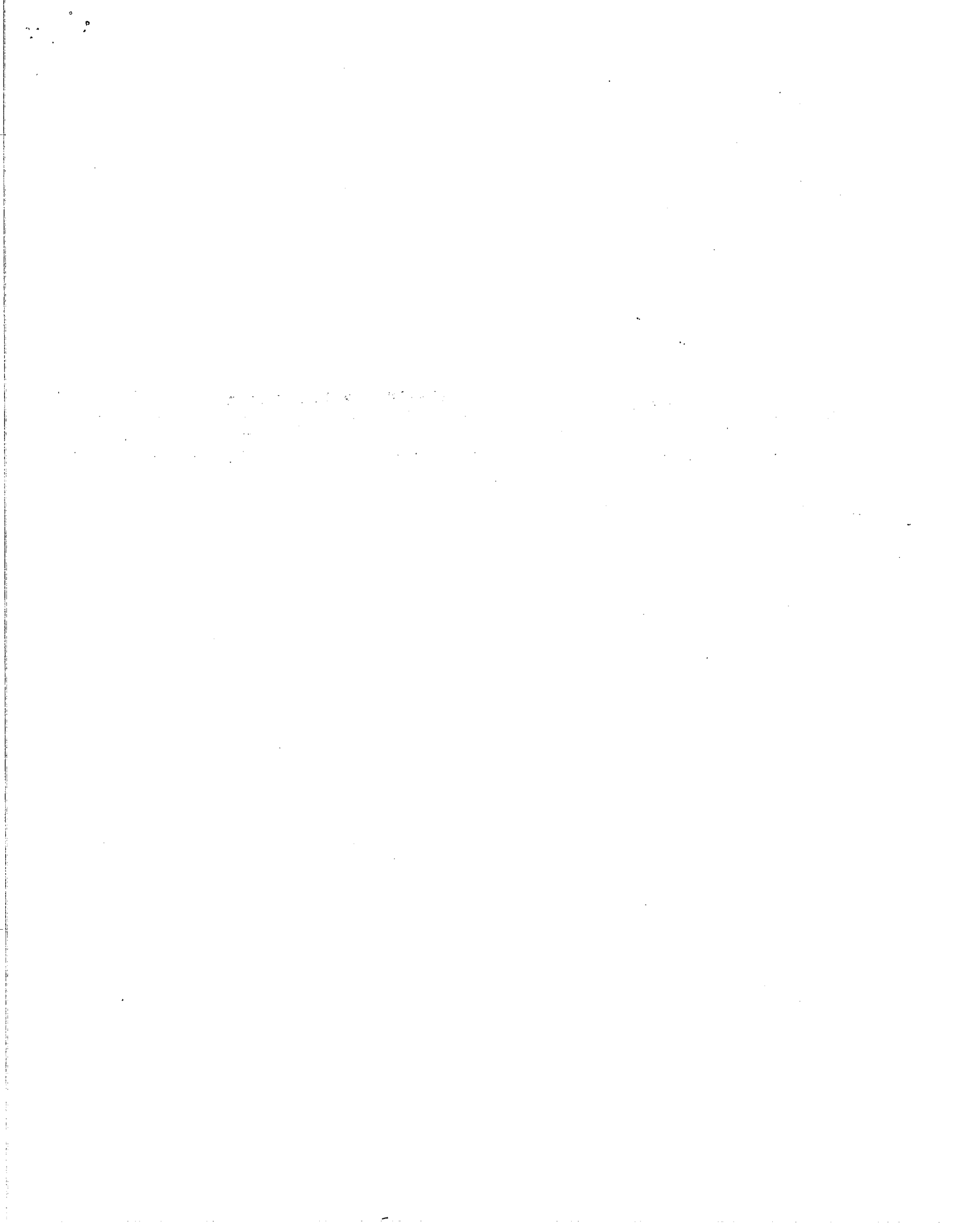
DOCKET ENTRIES - WAYNE SCHELLINGER - PAGE 5

<u>DATE</u>	<u>DOC. #</u>	<u>DOCUMENT DESCRIPTION</u>
12/17/91	D-2	- Motion for a New Trial and/or In Arrest of Judgment, filed.
3/24/92	-	- Court Room 253 Court Reporter Maureen Rible Defense Counsel Joseph Canuso Honorable William Mazzola, Presiding
		- SENTENCE OF THE COURT:
Bill # 2384.		- Defendant is sentenced to a term of Life Imprisonment at the State Correctional Institution at Graterford. Defendant is to continue with psychotherapy and medication. To be housed in hospital wing of institution. Pay \$145.00 cost within 6 months after release. All other charges merge. <p style="text-align: right;">Mazzola, J.</p>
Bill # 2386		- Defendant is placed on probation for a period of five (5) years. Said probation is to run concurrently with Bill # 2384. All other charges merge. <p style="text-align: right;">Mazzola, J.</p>

THIS IS TO CERTIFY THAT THE ABOVE IS A  
TRUE AND CORRECT COPY OF THE DOCKET ENTRIES.

*Angela J. Burkhard*  
C.P. APPEALS CLERK





# MEMORANDUM

CITY OF PHILADELPHIA

DATE 7-15-93

TO : Superior Court Prothonotary

FROM : Appeals Unit, Criminal Division, Rm. 601 CH

SUBJECT: Comm. Vs. Wayne Schellinger  
Lower Court # 9104-2384  
Superior Court # 1417  
Materials transmitted herein 3-24-92

Attached you will find additional testimony or documents filed with our office after the lower court record was transmitted for appellate review. Therefore, we are forwarding these items so that they may be docketed and included with the lower court record which is in your possession.

Kindly sign and date the attached copy which will serve as our receipt that these items were delivered.

Thank you for your cooperation in this matter.

Date Received: 7/20/93

Signature: [Handwritten Signature]