

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : **No. 99-10,826**
: **CRIMINAL DIVISION**
vs. : **Request to Assign**
: **Specific Restitution**
CARL A. YEAGLE,
Defendant

ORDER

AND NOW, this 8th day of March 2000, after argument, the Court GRANTS the Commonwealth's request to assign specific restitution as part of the sentence in this case as follows:

The defendant shall pay to Erica Kaufman resitution in the amount of \$1,470.88.¹

The defendant shall pay to Metropolitan Insurance Company, restitution in the amount of \$2,523.12. A monthly payment schedule may be arranged to pay this sum.²

By The Court,

Kenneth D. Brown, J.

¹The defendant has paid this sum of restitution to our understanding.

²This amount of restitution is consistent with the plea agreement in this case where the Commonwealth dismissed a misdemeanor charge in return for a guilty plea to summary offenses and payment of restitution to Ms. Campbell and the Insurance Company. See Lycoming County case scheduling form with plea agreement.

It is apparent that the \$1,470.88 and the additional sum of \$2,523.12, which the insurance company paid to Ms. Campbell, would fully compensate Ms. Campbell for her losses because she had paid the sum of \$3,994.00 for her vehicle only months before the defendant totaled her vehicle in the accident that was the basis of the criminal charges in this case. To allow the defendant to pay less to the insurance company would unfairly penalize them because they are out of pocket the sum of \$2,523.12. When the defendant agreed to specifically pay \$1,470.88 directly to Ms. Campbell, he was clearly agreeing to fully pay her and the insurance company in return for dismissal of the criminal charges.