

STATE OF MAINE  
CUMBERLAND, ss.

MAINE  
SUPERIOR COURT  
CRIMINAL ACTION  
DOCKET CR-07-1110,  
07-1199, 07-1846, 07-2126  
JAW-CUM-1/4/2008

STATE OF MAINE

v.

ORDER OF JOINDER

JONAS D. BARR  
LAW LIBRARY

FRANK LAPOMARDA

JAN 30 2008

This matter came before the court on the State's request to join the above cases for a single trial pursuant to M.R.Crim.P. 8(c). The defendant object to the State's request except as follows. The parties have stipulated that the following cases may be joined: (1) CR-07-1110 and CR-07-1199 may be joined for a single trial and (2) Counts Two, Three and Four of CR-07-1846 may be joined for a single trial.

Lapomarda is charged as follows:

CR-07-1110, Counts 1 and 2, Gross Sexual Assault of Rhoda Crocker on April 15, 2007

CR-07-1199, Count 1, Tampering with a Victim, Rhonda Crocker, on May 9, 2007

Count 2, Violating a Condition of Release on May 9, 2007

CR-07-1846, Count 1, Gross Sexual Assault of Rose LaBarr on April 22, 2002

Count 2, Unlawful Sexual Contact of Rhea Zecchino on January 6, 2007

Count 3, Harassment by Telephone of Rhea Zecchino on January 21, 2007

Count 4, Theft of house keys from Rhea Zecchino on January 21, 2007

CR-07-2162, Count 1, Aggravated Assault of Charlene Rideout on July 27, 2005

Pursuant to M.R.Crim.P. 8(c), the court may order "two or more indictments . . . to be tried together against a single defendant if the crimes should have been joined under paragraph (a)." Paragraph 8(a) provides for the joinder of two or more crimes "if crimes

A True Copy  
Attest: *Jenny A. Bump*  
Clerk of Courts

charged, whether of the same class or different classes, are of the same or similar character or are based on the same act or transaction or on two or more acts or transactions which are connected or which constitutes part of a common scheme or plan.” If the crimes “are connected in any reasonable manner, they are properly joinable.” *State v. Pierce*, 2001 ME 14, ¶ 13, 770 A.2d 630 (quotation marks and citation omitted). The test in determining whether there is a common scheme or plan is whether the events in each charge alleged are connected “in time, purpose and modus operandi.” *Id.* at ¶ 16 (quotation marks and citation omitted).

The defendant is charged with crimes of a similar character that are connected by a common scheme or plan. Although there are differences in the details in which the crimes were carried out, the overall purpose and modus operandi are similar. None of the crimes are alleged to have occurred in exactly the same way because it is alleged that the defendant adapted his method to get each victim to where he wanted her and his method varied with the victim’s degree of resistance, but in all other ways, the alleged crimes are strikingly similar. They are connected in purpose and modus operandi.

In the first incident, it is alleged he pulled his car up to the sidewalk on High Street, near the Eastland Hotel, where Ms. LaBarr was walking and motioned her over to his car. He took her to Denny’s for a meal, then told her he was redecorating his house and asked her advice getting her to his home, he suggested she stay in one of his bedrooms, and before the attack when she came out of the bathroom, the defendant was wearing only a pajama top and his genitals were exposed. Shortly after she went to bed, he entered the room where she was sleeping and sexually assaulted her twice.

A True Copy

Attest: *Sally G. ...*  
Clerk of Court

In the second incident, it is alleged that he met Ms. Rideout while he was in his car and she was on Congress Street near her home on Congress Street. He was to take her to a bar in the Morrill's Corner neighborhood but on the way suggested that they go to his house because it was cheaper. Before the sexual attack, the defendant went to his bedroom and emerged wearing boxer shorts with his genitals protruding. When Ms. Rideout resisted his advance, the defendant broke her ankle.

In the third incident, it is alleged that the defendant met Ms. Zecchino on Dyer Street near Dyer's Market when the defendant approached her. The defendant took Ms. Zecchino to Old Country Buffet for a meal. While at the restaurant, she realized that her keys were missing. The defendant told Ms. Zecchino that she could stay at his house since she had no way of getting into her own house. (The lost keys were later found in defendant's trousers when he was found outside of her home.) When she fell asleep on the couch, he suggested she go into one of the bedrooms to sleep but would not let her take her dog into the bedroom. She awoke to find him trying to sexually assault her and managed to escape into his living room.

And, in the final incident, he drove his car up to the Preble Street Shelter and engaged Ms. Crocker in conversation. The defendant took Ms. Crocker to Old Country Buffet for a meal and then took her to Wal-Mart and then drove her around for hours showing her locations important in his life until he told her it was too late to return to the shelter and she could stay at his house. At his house, he offered her a bedroom to sleep in, and several hours after she went to bed, he entered the bedroom where she was, and when she resisted his sexual overtures, he grabbed her arm and injected a needle into it and then proceeded to sexually assault her.

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Attest: *Sally A. Bourget*  
Clerk of Courts

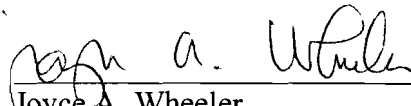
The ways in which the defendant insinuated himself into their lives and got them to his house are clearly similar. In each of the cases, he met the victims on the street, whether at a homeless shelter, on the sidewalk or in the vicinity of a local convenience store. On the night of each of the assaults, he took the victim to first to a restaurant or bar and then to his home where the sexual assault occurred. In the case of Rhonda Crocker and Rhea Zecchino, he took them first to a restaurant followed by a trip to Wal-Mart to get nightclothes for each of the women. He used or engineered excuses to get the victims to his house and once there assaulted them. Where there are a great number of similarities that create a pattern, as here, joinder is appropriate. "That all parts of the State's 'common scheme or plan' were not present in every incident does not mean that the 'common scheme or plan' did not exist." *State v. Pierce*, 2001 ME 14, ¶ 12, 770 A.2d 63, 634.

Joinder of these crimes will conserve judicial resources, avoid duplicative trials, minimize the public expenditure of funds and provides the defendant with a prompt resolution of the charges. The trial judge, with proper instructions, can assist the jury in treating the evidence relevant to each crime separately and distinctly.

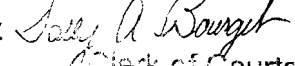
The entry is:

Motion for joinder granted and motion for severance denied.

Date: January 4, 2008

  
Joyce-A. Wheeler  
Justice, Superior Court

A True Copy

Attest:   
Clerk of Courts

STATE OF MAINE  
CUMBERLAND, ss.

SUPERIOR COURT  
CRIMINAL ACTION  
DOCKET CR-07-1110, ✓  
07-1199, 07-1846, 07-2126,  
08-590

STATE OF MAINE

v.

ORDER ON RECONSIDERATION  
OF JOINDER

FRANK LAPOMARDA

This matter comes back before the court on the defendant's motion for reconsideration of the order of joinder dated January 4, 2008. New counsel, Clifford Strike, Esquire, now represents defendant. Meg Elam, ADA, continues to represent the State. Since the court's previous order of joinder, the State has indicted the defendant on additional charges, including in Count I Gross Sexual Assault of Rose LeBarr on April 22, 2002, and in Counts II and III Gross Sexual Assault of Rhonda Crocker on April 15, 2007. See Docket No. CR-08-590. The State previously indicted defendant of another Gross Sexual Assault of Rose LeBarr on April 22, 2002 in Docket No. CR-07-1846 and of Rhonda Crocker on April 15, 2007 in Docket No. CR-07-1110. The State filed a Notice of Joinder in Docket No. CR-08-590 on March 5, 2008. Defendant objects to joinder of the cases involving different victims and asks for reconsideration of the January 4, 2008 Order of Joinder entered in the earlier cases.

In the January 4, 2008 Order of Joinder the court found a great number of similarities that created a pattern sufficient to support joinder. The State argues that nothing has changed and all of the same arguments are being made. True, prejudice was

raised by defendant's prior attorney. However, the defendant has argued more specifically in his motion for reconsideration.

To support his first argument, defendant cites 1 Cluchey and Seitzinger, Maine Criminal Practice, § 8.10, at III-67 (1992), for the proposition that when joinder occurs "solely on the basis that they are all of the same or similar character, the advantages secured by joinder are not at all clear and it has been suggested that when that is the basis of joinder, a defendant should be entitled to severance as a matter of right." Defendant argues because of the number of charges<sup>1</sup>, there is a risk that the jury would convict him because he is a "bad man" for which there is no curative instruction. Defendant also argues that there is a serious and substantial risk that the jury would improperly attribute evidence on one of the charges to the other charges involving a different victim. Having reconsidered the facts<sup>2</sup> in these cases, the court agrees with some of defendant's contentions.

For example, the case involving Rhonda Crocker may be the strongest case with substantial physical and corroborating evidence. Ms. Crocker alleges that the defendant sexually assaulted her on April 15, 2007 after first approaching her on Preble Street, then taking her to dinner to Old Country Buffet, shopping at Wal-Mart, driving her around and

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<sup>1</sup> Lapomarda is charged as follows:

CR-07-1110, Counts 1 and 2, Gross Sexual Assault of Rhoda Crocker on April 15, 2007;

CR-07-1199, Count 1, Tampering with a Victim, Rhonda Crocker, on May 9, 2007,

Count 2, Violating a Condition of Release on May 9, 2007;

CR-07-1846, Count 1, Gross Sexual Assault of Rose LeBarr on April 22, 2002,

Count 2, Unlawful Sexual Contact of Rhea Zecchino on January 6, 2007,

Count 3, Harassment by Telephone of Rhea Zecchino on January 21, 2007,

Count 4, Theft of house keys from Rhea Zecchino on January 21, 2007;

CR-07-2162, Count 1, Aggravated Assault of Charlene Rideout on July 27, 2005;

CR-08-590, Count 1, Gross Sexual Assault of Rose LeBarr on April 22, 2002,

Counts 2 and 3, Gross Sexual Assault of Rhonda Crocker on April 15, 2007.

<sup>2</sup> For the purposes of this motion the facts were not contested.

going back to his house because it was, according to defendant, now too late to return her to the shelter which would be closed. Defendant offered Ms. Crocker his bedroom and later he entered the bedroom without knocking or obtaining her consent. While she pretended to be asleep, he attempted to sexually assault her. When Ms. Crocker resisted, defendant grabbed her arm, injected a needle into it, told her to stop resisting and sexually assaulted her. Defendant told her he “owned” the Portland Police, and when she asked him to call a cab, he told her he had. Ms. Crocker stayed there until 6:30 p.m. the next day when she finally went to his next-door neighbors and asked them to assist her in calling a cab. Ms. Crocker then went to the Hospital and subsequently reported the crime to the police. Ms. Crocker also alleges that she received repeated phone calls from the defendant within days after the assault. In her case, there is DNA evidence, medical documentation of an assault, a photo identification, corroborating witnesses, a videotape of the defendant with his victim at Wal-Mart on the night of the assault and phone records.

In the case involving Rose LeBarr, there are far fewer similarities and no physical or corroborating evidence, hence increasing the likelihood of a verdict based on propensity evidence. She alleges that on April 22, 2002, the defendant called her over to his car on High Street, took her to Denny’s for dinner and then took her back to his place after asking her for advice on how to redecorate his house. While at defendant’s home, Ms. LeBarr used the bathroom. When she came out of the bathroom, the defendant was undressed from the waist down. She rebuffed this advance, but agreed to stay there that night because she did not know where she was in Portland. Ms. LeBarr alleges that shortly after she went to bed, the defendant entered the bedroom without knocking or

asking permission and sexually assaulter her. Although she saw several phones in defendant's home, she did not call 911 because she saw they were wired strangely and thought defendant might be monitoring them. The defendant eventually drove her home. Ultimately, she reported the crime to the police, but there is no physical evidence and the initial charge was dismissed for insufficient evidence of compulsion. Even though no new evidence has been found and the crimes occurred 5 years apart, with joinder the State will be permitted to go forward in her case, joined with a case that presents a similar fact pattern but with greater physical evidence.

Defendant argues that this same analysis may be made to the charges involving Charlene Rideout, where the original complaint was dismissed due to lack of credibility of the victim's account, but will now be presented with a case with a similar factual pattern but with greater evidence. Ms. Rideout alleges that she also met the a man on Congress Street and they were to go to a bar but that on the way, the man suggested that they go to his house because he had whiskey there and it would be cheaper than going to a bar. So, on July 27, 2005, a man named "Tony" and she were drinking at his house and she asked to stay at his house for a couple of days. The defendant propositioned her for sex but he did not want to pay for it. The man emerged from his bedroom with boxer shorts on and his genitals protruding. She rebuffed his advance. According to the Police Report, she was confused while speaking with the police, indicating that she was being chased by witches and could not give a description of "Tony". Ms. Rideout first alleged he grabbed her ankle and broke her foot; yet, she alleged two years later that after "Tony" exposed his genitals to her, she wanted to leave but he hit her ankle with a baseball bat. At this time, she was also able to identify defendant from a photo lineup as the man she



knew as “Tony”. In the earlier investigation, the police focused on her boyfriend, Anthony Hawkins, with whom she had a history of domestic violence. However, after the initial report, she refused to cooperate and the case was inactivated for two years until she was reinterviewed and told the police the different story. Even though no new physical evidence has been found and the crimes occurred 2 years apart, with joinder the State will be permitted to go forward in her case, joined with a case that presents a similar fact pattern but with greater physical evidence.

The case involving Rhea Zecchino is far closer in plan to the case involving Rhonda Crocker. Ms. Zecchino alleges that on January 6, 2007, the defendant approached her on Portland Street, took her to Old County Buffet and after she was unable to locate her keys and at defendant’s suggestion, she went back to stay with defendant at his house because she had been locked out of her house. At defendant’s suggestion, she went to sleep in defendant’s bedroom although he would not let her take her dog with her into the bedroom. She alleges that at 4:30 a.m., when she was asleep, the defendant entered the bedroom, without knocking or asking permission, and touched her vagina with his hand but did not penetrate her because she jumped out of bed as soon as this occurred. She threatened to call the cops and the defendant then left her alone. She called a friend who later picked her up. Ms. Zecchino alleges the defendant called her on January 21, 2007 and told her he was outside her home watching her. She called the police who responded and found defendant outside her house with Ms. Zecchino’s house keys in defendant’s pant pocket. Ms. Zecchino provided the police with a copy of messages left by the defendant on her answering machine.

In short, the prejudice to defendant, the defendant argues, is that a victim has come forward with a more credible account with physical evidence, making the older, less credible cases suddenly more credible solely because of some similarities in the cases. Defendant also argues that prejudice will occur because the defendant will have to testify as to all or none, violating his 5<sup>th</sup> Amendment Rights, even though he may wish to testify in some charges but not on others.

The court agrees with much of defendant's analysis. On reconsideration, the court concludes that there is a great likelihood that a jury will use the physical evidence obtained in the Rhonda Crocker and the Rhea Zecchino cases to convict defendant of the other charges where there is no physical evidence, but some similarities in the plan or scheme. It will be difficult for the jury to separate the evidence and use the evidence only in permissible ways with respect to each victim. The defendant does not object to the joinder of charges involving the same victim.

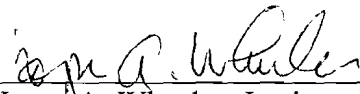
Accordingly, CR-07-1110 and CR-07-1199, Counts II, III and IV in CR-07-1846 and Counts II and III in CR-08-590 may be joined together. Defendant met these two victims on the street in 2007, took each to Old Country Buffet before taking each to his home, used or engineered excuses for not taking them to their homes, offered his bedroom to each, entered the bedroom without knocking or asking permission, sexually assaulted or attempted to sexually assault each while sleeping, interfered with each victim's ability to call the police by scaring them so they remained in his house for several hours, and telephoned his victims after the sexual assaults. The other cases will be tried separately. Although there are some similarities in the other cases, the similarities are far fewer and occurred in a different time period. There also is no

physical evidence in these other cases and thus a greater risk that the jury would improperly attribute evidence on one of the charges to the other charges involving a different victim. Joining all the cases together would emphasize the propensity aspect of this evidence and deprive defendant of the opportunity to exercise his Fifth Amendment Rights.

The entry is:

1. CR-07-1110 and CR-07-1199, Counts II, III and IV in CR-07-1846, Counts II and III in CR-08-590 are hereby joined but with no other cases involving other victims;
2. Count I in CR-07-1846 and Count I in CR-08-590 are hereby joined with each other but with no cases involving different victims; and
3. CR-07-2162 shall be tried separately.

June 2, 2009

  
\_\_\_\_\_  
Joyce A. Wheeler, Justice

STATE OF MAINE  
vs  
FRANK LAPOMARDA  
6 HOMESTEAD AVE  
PORTLAND ME 04101

SUPERIOR COURT  
CUMBERLAND, ss.  
Docket No PORSC-CR-2007-01110

**DOCKET RECORD**

DOB: 12/12/1941

Attorney: CLIFFORD STRIKE  
STRIKE GOODWIN & O'BRIEN  
400 ALLEN AVENUE  
PORTLAND ME 04103  
RETAINED 07/07/2008

State's Attorney: STEPHANIE ANDERSON

Filing Document: CRIMINAL COMPLAINT  
Filing Date: 04/30/2007

Major Case Type: FELONY (CLASS A,B,C)

**Charge (s)**

1 GROSS SEXUAL ASSAULT  
Seq 4262 17-A 253(1)(A)  
BAILEY / POR

04/15/2007 PORTLAND  
Class A

2 GROSS SEXUAL ASSAULT  
Seq 4262 17-A 253(1)(A)

04/15/2007 PORTLAND  
Class A Charged with INDICTMENT on Supplem

**Docket Events:**

04/30/2007 FILING DOCUMENT - CRIMINAL COMPLAINT FILED ON 04/30/2007

04/30/2007 WARRANT - ON COMP/INDICTMENT ISSUED ON 04/30/2007

CERTIFIED COPY TO WARRANT REPOSITORY

RS

05/04/2007 BAIL BOND - \$2,000.00 CASH BAIL BOND FILED ON 05/04/2007

Bail Receipt Type: CR  
Bail Amt: \$2,000

Receipt Type: CK  
Prvdr Name: FRANK LAPOMARDA  
Rtrn Name: FRANK LAPOMARDA

SEE CONDITIONS AN  
REMAINDER TO CR07-1846 ATTY FEES. ST

APPLY CASH BAIL TO ATTORNEY FEES AND THE

05/04/2007 WARRANT - ON COMP/INDICTMENT EXECUTED ON 05/01/2007

JAMIE MILLER , ASSISTANT CLERK-E

05/04/2007 Charge(s): 1

HEARING - INITIAL APPEARANCE SCHEDULED FOR 05/22/2007 @ 11:00

NOTICE TO PARTIES/COUNSEL

05/09/2007 WARRANT - ON COMP/INDICTMENT RETURNED ON 05/09/2007

JAMIE MILLER , ASSISTANT CLERK-E

05/22/2007 Charge(s): 1

HEARING - INITIAL APPEARANCE HELD ON 05/21/2007

WILLIAM BRODRICK , JUSTICE

DA: JULIA SHERIDAN

Reporter: TIMOTHY THOMPSON

Defendant Present in Court

NEW BAIL SET. DEFENDANT REMANDED. RS  
05/22/2007 BAIL BOND - \$25,000.00 SURETY BAIL BOND SET BY COURT ON 05/21/2007  
WILLIAM BRODRICK , JUSTICE  
OR \$10,000 CASH WITH CONDITIONS. RS  
05/22/2007 BAIL BOND - SURETY BAIL BOND COND RELEASE ISSUED ON 05/21/2007  
WILLIAM BRODRICK , JUSTICE  
05/22/2007 HEARING - STATUS CONFERENCE SCHEDULED FOR 07/23/2007 @ 11:00  
  
RS  
05/22/2007 Charge(s): 1  
MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY DEFENDANT ON 05/21/2007  
  
05/22/2007 Charge(s): 1  
MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 05/21/2007  
WILLIAM BRODRICK , JUSTICE  
COPY TO PARTIES/COUNSEL  
APPLIED TO ATTY FEES  
TO HAVE FUNDS TAKEN FROM DEFENDANT'S COMMISARY ACCOUNT TO GO TOWARDS ATTY FEES AND FINES;  
DE  
01/17/2008:REQUEST SENT TO CCJ  
CASH BAIL TO BE  
05/22/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 05/21/2007  
  
Attorney: VERNE PARADIE  
06/07/2007 Charge(s): 1,2  
SUPPLEMENTAL FILING - INDICTMENT FILED ON 06/07/2007  
  
RS  
06/07/2007 HEARING - STATUS CONFERENCE NOT HELD ON 06/07/2007  
  
DEFENDANT INDICTED. RS  
06/07/2007 Charge(s): 1,2  
HEARING - ARRAIGNMENT SCHEDULED FOR 06/19/2007 @ 8:30  
  
RS  
06/07/2007 Charge(s): 1,2  
HEARING - ARRAIGNMENT NOTICE SENT ON 06/07/2007  
  
RS  
06/20/2007 Charge(s): 1,2  
HEARING - ARRAIGNMENT HELD ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
DA: MEGIN ELAM  
Defendant Present in Court  
  
READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO  
DEFENDANT. 21 DAYS TO FILE MOTIONS. ATTY FERRUCCI STANDING IN. TAPE #2711. NEW BAIL SET.  
DEFENDANT REMANDED. RS  
06/20/2007 Charge(s): 1,2  
PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 06/19/2007  
  
06/20/2007 BAIL BOND - NO BAIL ALLOWED SET BY COURT ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
RS

06/20/2007 BAIL BOND - NO BAIL ALLOWED COND RELEASE ISSUED ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
06/20/2007 MOTION - MOTION TO REVOKE BAIL FILED BY STATE ON 06/19/2007

06/20/2007 MOTION - MOTION TO REVOKE BAIL GRANTED ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
COPY TO PARTIES/COUNSEL  
BAIL PENDING HEARING ON 6/26 @ 8:30.

HELD WITH OUT

RS

06/27/2007 HEARING - MOTION TO REVOKE BAIL HELD ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
Attorney: DAVID FERRUCCI  
DA: MEGIN ELAM Reporter: PEGGY STOCKFORD  
Defendant Present in Court

MOTION GRANTED. HOLD W/O BAIL. DEFENDANT REMANDED.

AKL

06/27/2007 ORDER - COURT ORDER ENTERED ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
RE:MOTION TO REVOKE BAIL

AGREES TO MOTION, ISSUE OF

FORFEITURE RESERVED FOR LATER DATE, HOLD W/O BAIL.

SENT COPY TO PARTIES/COUNSEL 6/27/07 AKL

AKL

06/27/2007 BAIL BOND - NO BAIL ALLOWED SET BY COURT ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
AKL

06/27/2007 BAIL BOND - NO BAIL ALLOWED COND RELEASE ISSUED ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
NO BAIL ALLOWED. WITH CONDITIONS, AKL

06/28/2007 MOTION - MOTION TO JOIN FILED BY STATE ON 06/14/2007

AKL

AMENDED MOTION FILED ON

12/20/07 WITH MEMO OF LAW - TSK

07/24/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - REMOVAL ORDERED ON 07/23/2007

Attorney: VERNE PARADIE

07/24/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 07/23/2007

Attorney: JON GALE

09/28/2007 MOTION - MOTION TO AMEND BAIL FILED BY DEFENDANT ON 09/25/2007

CONDITIONS OF RELEASE

MRP

09/28/2007 HEARING - MOTION TO AMEND BAIL SCHEDULED FOR 10/23/2007 @ 8:30 in Room No. 7

NOTICE TO PARTIES/COUNSEL

09/28/2007 HEARING - MOTION TO AMEND BAIL NOTICE SENT ON 09/28/2007

10/01/2007 Charge(s): 1,2

TRIAL - DOCKET CALL SCHEDULED FOR 11/05/2007 @ 8:30 in Room No. 11

ROLAND A COLE , JUSTICE  
10/01/2007 Charge(s): 1,2  
TRIAL - DOCKET CALL NOTICE SENT ON 10/01/2007

JOANN HEBERT  
11/02/2007 HEARING - MOTION TO AMEND BAIL HELD ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

MOTION TO AMEND BAIL: DENIED. DEFENDANT REMANDED.

MRP

11/02/2007 BAIL BOND - NO BAIL ALLOWED SET BY COURT ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE

11/02/2007 BAIL BOND - NO BAIL ALLOWED COND RELEASE ISSUED ON 10/23/2007

11/06/2007 Charge(s): 1,2  
TRIAL - DOCKET CALL CONTINUED ON 11/05/2007  
ROLAND A COLE , JUSTICE  
Reporter: TAMMY DROUIN  
SET FOR HEARING 2 HOURS

JAN TRIAL LIST

MRP

11/06/2007 MOTION - OTHER MOTION FILED BY DEFENDANT ON 11/05/2007  
MARIAH PURVES , ASSISTANT CLERK-E  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER

MRP

11/13/2007 HEARING - MOTION TO JOIN PARTIES SCHEDULED FOR 11/27/2007 @ 1:00 in Room No. 7

NOTICE TO PARTIES/COUNSEL

2 HOURS

MRP

11/13/2007 HEARING - MOTION TO JOIN PARTIES NOTICE SENT ON 11/13/2007

MRP

11/15/2007 HEARING - MOTION TO JOIN SCHEDULED FOR 01/04/2008 @ 8:30 in Room No. 8  
JOYCE A WHEELER , JUSTICE  
2 HOUR HEARING

TSK

11/15/2007 HEARING - MOTION TO JOIN NOTICE SENT ON 11/15/2007  
TRICIA KELLEY , ASSISTANT CLERK-E  
2 HOUR

11/26/2007 HEARING - MOTION TO JOIN PARTIES NOT HELD ON 11/26/2007

12/05/2007 Charge(s): 1,2  
TRIAL - DOCKET CALL SCHEDULED FOR 01/11/2008 @ 8:30 in Room No. 7  
THOMAS D WARREN , JUSTICE

12/05/2007 Charge(s): 1,2  
TRIAL - DOCKET CALL NOTICE SENT ON 12/05/2007

TLK

01/07/2008 MOTION - OTHER MOTION DENIED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER - MRP  
DENIED - TSK

01/07/2008 MOTION - MOTION TO JOIN GRANTED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE

01/07/2008 HEARING - MOTION TO JOIN HELD ON 01/04/2008  
JOYCE A WHEELER , JUSTICE

Attorney: JON GALE

DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON

Defendant Present in Court

TSK

01/07/2008 TRIAL - DOCKET CALL SCHEDULED FOR 01/11/2008 @ 8:30 in Room No. 7  
THOMAS D WARREN , JUSTICE

1/11 IN ERROR - RESCHEDULED 1/7/08 IN MEJIS  
12/05/07

MARKED HELD ON  
NOTICE SENT PREVIOUSLY ON

TSK

01/08/2008 TRIAL - DOCKET CALL NOT HELD ON 01/04/2007

MATTER CONTINUED TO FEB. TRIAL LIST.

02/12/2008 Charge(s): 1,2

TRIAL - DOCKET CALL SCHEDULED FOR 03/07/2008 @ 8:30 in Room No. 11

02/14/2008 Charge(s): 1,2

TRIAL - DOCKET CALL CONTINUED ON 02/14/2008

STAGE I PENDING

02/22/2008 PSYCHIATRIC EXAM - STAGE ONE EXAM ORDERED ON 02/19/2008

JOYCE A WHEELER , JUDGE

02/29/2008 LETTER - FROM NON-PARTY FILED ON 02/29/2008

LETTER FROM STATE FORENSICS INFORMING COURT OF EXAM ON 3/11/08 @ 8:300

TSK

04/15/2008 PSYCHIATRIC EXAM - STAGE ONE REPORT FILED ON 04/11/2008

MRP

07/02/2008 Charge(s): 1,2

HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 1:00 in Room No. 7

MRP

07/02/2008 Charge(s): 1,2

HEARING - STATUS CONFERENCE NOTICE SENT ON 07/02/2008

07/03/2008 Charge(s): 1,2

HEARING - STATUS CONFERENCE NOT HELD ON 06/21/2008

07/03/2008 HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 8:30 in Room No. 7

07/08/2008 Party(s): FRANK LAPOMARDA

ATTORNEY - RETAINED ENTERED ON 07/07/2008

Attorney: CLIFFORD STRIKE

07/22/2008 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 07/17/2008

MRP

07/23/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY COUNSEL ON 07/14/2008



Attorney: JON GALE

TSK

07/24/2008 LETTER - FROM NON-PARTY FILED ON 07/16/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW PSYCHIATRIC CENTER INDICATING THAT THE DEFENDANT IS DISCHARGED FROM RIVERVIEW.

MRP

07/24/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL GRANTED ON 07/23/2008

THOMAS D WARREN , JUSTICE

COPY TO PARTIES/COUNSEL

TSK

07/24/2008 Party(s): FRANK LAPOMARDA

ATTORNEY - WITHDRAWN ORDERED ON 07/23/2008

Attorney: JON GALE

08/06/2008 HEARING - STATUS CONFERENCE HELD ON 08/05/2008

WILLIAM BRODRICK , JUSTICE

TAPE #2954

SET ON NOV

TRIAL LIST

08/22/2008 TRIAL - DOCKET CALL SCHEDULED FOR 11/07/2008 @ 8:30 in Room No. 11

MRP

10/20/2008 TRIAL - DOCKET CALL NOTICE SENT ON 10/20/2008

JH

11/10/2008 TRIAL - DOCKET CALL HELD ON 11/07/2008

11/14/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 11/13/2008

THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

12/05/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM RIVERVIEW RE: DEFENDANT BEING ADMITTED 11-25-08 @ 11:00 A.M.

MRP

12/10/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM STATE FORENSIC INFORMING PARTIES THAT THE STAGE III IS SET FOR 12-15-08 @ 1:00 P.M.

MRP

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE SCHEDULED FOR 03/04/2009 @ 8:30 in Room No. 7

MRP

12/12/2008 TRIAL - JURY TRIAL SCHEDULED FOR 04/06/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

MRP

12/12/2008 TRIAL - JURY TRIAL NOTICE SENT ON 12/12/2008

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE NOTICE SENT ON 12/12/2008

01/02/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 12/31/2008

MRP

02/03/2009 LETTER - FROM PARTY FILED ON 12/17/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW

03/04/2009 HEARING - DISPOSITIONAL CONFERENCE HELD ON 03/04/2009  
JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL NOT HELD ON 03/04/2009

03/04/2009 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 03/04/2009  
JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL SCHEDULED FOR 06/15/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

03/04/2009 TRIAL - JURY TRIAL NOTICE SENT ON 03/04/2009

03/04/2009 ORDER - COURT ORDER ENTERED ON 03/04/2009  
JOYCE A WHEELER , JUSTICE

STAGE II ORDERED FOR COMMITMENT AND OBSERVATION, DEFENDANT HAS UNTIL MAR 30,09 TO FILE A MOTION FOR RECONSIDERATION OF ITS ORDER OF JOINDER DATED JAN 4, 08 AND ENTERED IN 07-1110,07-1199,07-1846 & 07-2126. THE STATE WILL HAVE 15 DAYS TO RESPOND TO THE DEF MOTION. 08-590 WAS FILED AFTER THE ORDER OF JOINDER. THE STATE FILED A NOTICE OF JOINDER IN THIS CASE AND THE COURT EXPECTS THAT THE DEF WILL FILE A MOTION FOR RELIEF FROM PREJUDICIAL JOINDER WITH RESPECT TO 08-590. MOTION HEARING SET 5-22

03/04/2009 HEARING - OTHER MOTION SCHEDULED FOR 05/22/2009 @ 8:30 in Room No. 7  
JOYCE A WHEELER , JUSTICE

RELIEF FROM JOINDER

03/05/2009 HEARING - OTHER MOTION NOTICE SENT ON 03/05/2009

RELIEF FROM JOINDER

03/31/2009 MOTION - MOTION RELIEF PREJUDICIAL JOIN FILED BY DEFENDANT ON 03/31/2009

05/21/2009 HEARING - OTHER MOTION CONTINUED ON 05/21/2009

RELIEF FROM JOINDER

05/22/2009 HEARING - OTHER HEARING SCHEDULED FOR 06/01/2009 @ 9:00 in Room No. 8  
JOYCE A WHEELER , JUSTICE

NOTICE TO PARTIES/COUNSEL

MOTION FOR

RELIEF OF JOINDER

05/22/2009 HEARING - OTHER HEARING NOTICE SENT ON 05/22/2009

06/03/2009 HEARING - OTHER HEARING HELD ON 06/01/2009

06/03/2009 ORDER - COURT ORDER FILED ON 06/02/2009  
JOYCE A WHEELER , JUSTICE

ORDER ON RECONSIDERATION OF JOINDER: CR 07-1110 AND CR 07-1199, COUNTS II, III & IV IN CR 07-1846, COUNTS 11 & 111 IN CR 08-590 ARE HERBY JOINED BUT WITH NO OTHER CASES INVOLVING OTHER VICTIMS; COUNT I IN CR 07-1846 & CT 1 IN CR 08-590 ARE HERBY JOINED WITH EACH OTHER BUT WITH NO OTHER CASES INVOLVING DIFFERENT VICTIMS; AND CR 07-2162 SHALL BE TRIED SEPERATELY.

A TRUE COPY

ATTEST: \_\_\_\_\_  
Clerk

Clerk

STATE OF MAINE  
vs  
FRANK LAPOMARDA  
6 HOMESTEAD AVE  
PORTLAND ME 04101

SUPERIOR COURT  
CUMBERLAND, ss.  
Docket No PORSC-CR-2007-01199

**DOCKET RECORD**

DOB: 12/12/1941

Attorney: CLIFFORD STRIKE  
STRIKE GOODWIN & O'BRIEN  
400 ALLEN AVENUE  
PORTLAND ME 04103  
RETAINED 07/08/2008

State's Attorney: STEPHANIE ANDERSON

Filing Document: CRIMINAL COMPLAINT  
Filing Date: 05/11/2007

Major Case Type: FELONY (CLASS A,B,C)

**Charge(s)**

1 TAMPERING WITH WITNESS, INFORMANT, JUROR OR VICTIM 05/09/2007 PORTLAND  
Seq 8495 17-A 454(1-B) (A) (2) Class B  
BAILEY / POR

2 VIOLATING CONDITION OF RELEASE 05/09/2007 PORTLAND  
Seq 9633 15 1092(1) (B) Class C  
BAILEY / POR

**Docket Events:**

05/11/2007 FILING DOCUMENT - CRIMINAL COMPLAINT FILED ON 05/11/2007

05/11/2007 Charge(s): 1,2  
HEARING - INITIAL APPEARANCE SCHEDULED FOR 05/11/2007 @ 1:00 in Room No. 1  
NOTICE TO PARTIES/COUNSEL

968

05/16/2007 Charge(s): 1,2  
HEARING - INITIAL APPEARANCE HELD ON 05/14/2007  
WILLIAM BRODRICK , JUSTICE  
BAIL SET. RS

05/16/2007 BAIL BOND - \$100,000.00 SURETY BAIL BOND SET BY COURT ON 05/14/2007  
WILLIAM BRODRICK , JUSTICE  
OR \$50,000 CASH AND MPTS WITH CONDITIONS. RS

05/16/2007 HEARING - STATUS CONFERENCE SCHEDULED FOR 07/25/2007 @ 8:30

05/17/2007 Charge(s): 1,2  
MOTION - MOTION FOR APPOINTMENT OF CNSL FILED BY DEFENDANT ON 05/14/2007

05/17/2007 Charge(s): 1,2  
MOTION - MOTION FOR APPOINTMENT OF CNSL GRANTED ON 05/14/2007  
WILLIAM BRODRICK , JUSTICE  
COPY TO PARTIES/COUNSEL

05/17/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 05/14/2007

Attorney: DAVID FERRUCCI

06/06/2007 OTHER FILING - PRETRIAL SERVICES CONTRACT FILED ON 06/04/2007  
DARCEY EMERY , ASSISTANT CLERK  
SIGNED BY DEFENDANT 06/04/2007

06/07/2007 Charge(s) : 1,2  
SUPPLEMENTAL FILING - INDICTMENT FILED ON 06/07/2007

RS

06/07/2007 HEARING - STATUS CONFERENCE NOT HELD ON 06/07/2007

DEFENDANT INDICTED

RS

06/07/2007 Charge(s) : 1,2  
HEARING - ARRAIGNMENT SCHEDULED FOR 06/19/2007 @ 8:30

RS

06/07/2007 Charge(s) : 1,2  
HEARING - ARRAIGNMENT NOTICE SENT ON 06/07/2007

RS

06/20/2007 Charge(s) : 1,2  
HEARING - ARRAIGNMENT HELD ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
Attorney: DAVID FERRUCCI  
DA: MEGIN ELAM  
Defendant Present in Court

READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO  
DEFENDANT. 30 DAYS TO FILE MOTIONS. SAME BAIL CONTINUED. DEFENDANT REMANDED.

RS

06/20/2007 Charge(s) : 1,2  
PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 06/19/2007

06/20/2007 BAIL BOND - \$100,000.00 SURETY BAIL BOND CONTINUED AS SET ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
OR \$50,000 CASH WITH MPTS AND CONDITIONS.

RS

06/20/2007 BAIL BOND - SURETY BAIL BOND COND RELEASE ISSUED ON 06/19/2007  
JOYCE A WHEELER , JUSTICE  
RS

06/26/2007 MOTION - OTHER MOTION FILED BY DEFENDANT ON 06/19/2007

MOTION FOR RELIEF FROM PREJUDICIAL JOINDER

MRP

06/27/2007 HEARING - BAIL HEARING HELD ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
Reporter: PEGGY STOCKFORD  
Defendant Present in Court

ATTY. FERRUCCI STANDING IN. BAIL CONTINUED, DEFENDANT REMANDED.

MRP

06/27/2007 BAIL BOND - \$100,000.00 SURETY BAIL BOND CONTINUED AS SET ON 06/26/2007  
JOYCE A WHEELER , JUDGE  
OR \$50,000.00 CASH WITH MPTS CONTRACT WITH NO CONTACT WITH RHONDA CROCKER.

MRP

06/27/2007 BAIL BOND - SURETY BAIL BOND COND RELEASE ISSUED ON 06/26/2007

06/28/2007 MOTION - MOTION TO JOIN FILED BY STATE ON 06/14/2007

MOTION FOR JOINDER - AKL

AMENDED MOTOIN FOR JOINDER

FILED 12/20/2007 WITH MOME OF LAW - TSK

09/28/2007 MOTION - MOTION TO AMEND BAIL FILED BY DEFENDANT ON 09/25/2007

CONDITIONS OF RELEASE

MRP

09/28/2007 HEARING - MOTION TO AMEND BAIL SCHEDULED FOR 10/23/2007 @ 8:30 in Room No. 7

NOTICE TO PARTIES/COUNSEL

09/28/2007 HEARING - MOTION TO AMEND BAIL NOTICE SENT ON 09/28/2007

MRP

10/01/2007 Party(s): FRANK LAPOMARDA

ATTORNEY - RETAINED ENTERED ON 09/25/2007

Attorney: JON GALE

10/01/2007 Charge(s): 1,2

TRIAL - DOCKET CALL SCHEDULED FOR 11/05/2007 @ 8:30 in Room No. 11  
ROLAND A COLE , JUSTICE

10/01/2007 Charge(s): 1,2

TRIAL - DOCKET CALL NOTICE SENT ON 10/01/2007

JOANN HEBERT

11/02/2007 HEARING - MOTION TO AMEND BAIL HELD ON 10/23/2007

WILLIAM BRODRICK , JUSTICE

Attorney: JON GALE

DA: MEGIN ELAM

Reporter: TIMOTHY THOMPSON

Defendant Present in Court

DEFENDANT REMANDED, SAME BAIL CONTINUED. MOTION TO AMEND BAIL: DENIED.

MRP

11/02/2007 MOTION - MOTION TO AMEND BAIL DENIED ON 10/23/2007

WILLIAM BRODRICK , JUSTICE

COPY TO PARTIES/COUNSEL

11/06/2007 Party(s): FRANK LAPOMARDA

ATTORNEY - WITHDRAWN ORDERED ON 11/05/2007

Attorney: DAVID FERRUCCI

11/06/2007 MOTION - OTHER MOTION FILED BY DEFENDANT ON 11/05/2007

MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER

MRP

11/06/2007 Charge(s): 1,2

TRIAL - DOCKET CALL CONTINUED ON 11/05/2007

SET MOTION FOR HEARING 2 HOURS

JAN TRIAL LIST

MRP

11/15/2007 HEARING - MOTION TO JOIN SCHEDULED FOR 01/04/2008 @ 8:30 in Room No. 8  
JOYCE A WHEELER , JUSTICE  
2 HOUR HEARING TSK

11/15/2007 HEARING - MOTION TO JOIN NOTICE SENT ON 11/15/2007  
TRICIA KELLEY , ASSISTANT CLERK-E  
2 HOUR

12/05/2007 Charge(s) : 1,2  
TRIAL - DOCKET CALL SCHEDULED FOR 01/11/2008 @ 8:30 in Room No. 11  
THOMAS D WARREN , JUSTICE

12/05/2007 Charge(s) : 1,2  
TRIAL - DOCKET CALL NOTICE SENT ON 12/05/2007

TLK

01/07/2008 HEARING - MOTION TO JOIN HELD ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

TSK

01/07/2008 MOTION - OTHER MOTION DENIED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER - MRP  
MOTION DENIED - TSK

01/07/2008 MOTION - MOTION TO JOIN GRANTED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
TSK

01/08/2008 Charge(s) : 1,2  
TRIAL - DOCKET CALL NOT HELD ON 01/08/2008

CONT'D TO FEB/MAR. TRIAL LIST

02/12/2008 Charge(s) : 1,2  
TRIAL - DOCKET CALL SCHEDULED FOR 03/07/2008 @ 8:30 in Room No. 11

02/14/2008 Charge(s) : 1,2  
TRIAL - DOCKET CALL CONTINUED ON 02/14/2008

STAGE I PENDING

02/22/2008 PSYCHIATRIC EXAM - STAGE ONE EXAM ORDERED ON 02/19/2008  
JOYCE A WHEELER , JUDGE

02/29/2008 LETTER - FROM NON-PARTY FILED ON 02/29/2008

LETTER FROM STATE FORENSICS INFORMING COURT OF EXAM ON 3/11/08 @ 8:30  
TSK

04/15/2008 PSYCHIATRIC EXAM - STAGE ONE REPORT FILED ON 04/11/2008

MRP

07/02/2008 PSYCHIATRIC EXAM - STAGE TWO EXAM ORDERED ON 05/15/2008  
WILLIAM BRODRICK , JUSTICE

07/02/2008 Charge(s) : 1,2  
HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 8:30 in Room No. 7

MRP

07/02/2008 Charge(s) : 1,2  
HEARING - STATUS CONFERENCE NOTICE SENT ON 07/02/2008

07/08/2008 Party(s) : FRANK LAPOMARDA  
ATTORNEY - RETAINED ENTERED ON 07/08/2008

Attorney: CLIFFORD STRIKE

07/08/2008 Party(s) : FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 07/07/2008

Attorney: JON GALE

07/22/2008 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 07/17/2008

MRP

07/23/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY COUNSEL ON 07/14/2008

Attorney: JON GALE

TSK

07/24/2008 LETTER - FROM NON-PARTY FILED ON 07/16/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW PSYCHIATRIC CENTER INDICATING THAT THE DEFENDANT IS DISCHARGED.

MRP

07/24/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL GRANTED ON 07/23/2008  
THOMAS D WARREN , JUSTICE  
COPY TO PARTIES/COUNSEL

TSK

07/24/2008 Party(s) : FRANK LAPOMARDA  
ATTORNEY - WITHDRAWN ORDERED ON 07/23/2008

Attorney: JON GALE

08/06/2008 Charge(s) : 1,2  
HEARING - STATUS CONFERENCE HELD ON 08/05/2008  
WILLIAM BRODRICK , JUSTICE  
TAPE #2954; SET ON NOV TRIAL LIST

TSK

08/22/2008 TRIAL - DOCKET CALL SCHEDULED FOR 11/07/2008 @ 8:30 in Room No. 11

MRP

10/20/2008 TRIAL - DOCKET CALL NOTICE SENT ON 10/20/2008

JH

11/10/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 11/07/2008  
THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

11/10/2008 TRIAL - DOCKET CALL HELD ON 11/07/2008

12/10/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM STATE FORENSIC INFORMING PARTIES THAT THE STAGE III IS SET FOR 12-15-08 @ 1:00 P.M.

MRP

12/18/2008 HEARING - DISPOSITIONAL CONFERENCE SCHEDULED FOR 03/04/2009 @ 8:30 in Room No. 7

MRP

12/18/2008 TRIAL - JURY TRIAL SCHEDULED FOR 04/06/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

MRP

01/02/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 12/31/2008

02/03/2009 LETTER - FROM PARTY FILED ON 12/17/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW

03/04/2009 HEARING - DISPOSITIONAL CONFERENCE HELD ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL NOT HELD ON 03/04/2009

03/04/2009 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL SCHEDULED FOR 06/15/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

03/04/2009 TRIAL - JURY TRIAL NOTICE SENT ON 03/04/2009

03/04/2009 HEARING - OTHER MOTION SCHEDULED FOR 05/22/2009 @ 8:30 in Room No. 7

JOYCE A WHEELER , JUSTICE

RELIEF FROM JOINDER

03/04/2009 ORDER - COURT ORDER FILED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

STAGE III ORDERED, DEF HAS UNTIL MAR 30,09 TO FILE A MOTION FOR RECONSIDERATION OF ITS ORDER OF JOINDER DATED JAN 04, 2008 & ENTERED IN 07-1110, 07-1199, 07-1846 & 07-2126. THE STATE WILL HAVE 15 DAYS TO RESPOND TO THE DEF'S MOTION. 08-590 WAS FILED AFTER THE ORDER OF JOINDER. THE STATE FILED A NOTICE OF JOINDER IN THIS CASE AND THE COURT EXPECTS THAT THE DEFENDANT WILL FILE A MOTION FOR RELIEF FROM PREJUDICIAL JOINDER WITH RESPECT TO 08-590. MOTION HEARING SET 5-22-09 @ 8:30 AM J WHEELER

03/05/2009 HEARING - OTHER MOTION NOTICE SENT ON 03/05/2009

RELIEF FROM JOINDER

03/31/2009 MOTION - MOTION RELIEF PREJUDICIAL JOIN FILED BY DEFENDANT ON 03/31/2009

05/21/2009 HEARING - OTHER MOTION CONTINUED ON 05/21/2009

RELIEF FROM JOINDER

05/22/2009 HEARING - OTHER HEARING SCHEDULED FOR 06/01/2009 @ 9:00 in Room No. 8

JOYCE A WHEELER , JUSTICE

NOTICE TO PARTIES/COUNSEL

MOTION FOR

RELIEF OF JOINDER

06/04/2009 HEARING - OTHER HEARING HELD ON 06/01/2009

JOYCE A WHEELER , JUSTICE

06/04/2009 ORDER - COURT ORDER FILED ON 06/02/2009

JOYCE A WHEELER , JUSTICE

ORDER ON RECONSIDERATION OF JOINDER THE ENTRY IS: CR-07-1110 & CR-07-1199, COUNTS II & III & IV IN CR-07-1846, COUNTS II & III IN CR-08-590 ARE HERBY JOINED BUT WITH NO OTHER CASES INVOLVING OTHER VICTIMS; COUNT I IN CR-07-1846 & COUNT I IN CR-08-590 ARE HERBY JOINED WITH EACH OTHER BUT WITH NO CASES INVOLVING DIFFERENT VICTIMS,; AND CR-07-2162 SHALL BE TRIED SEPERATELY.



A TRUE COPY

ATTEST: \_\_\_\_\_  
Clerk

STATE OF MAINE  
vs  
FRANK LAPOMARDA  
6 HOMESTEAD AVE  
PORTLAND ME 04101

SUPERIOR COURT  
CUMBERLAND, ss.  
Docket No PORSC-CR-2007-01846

**DOCKET RECORD**

DOB: 12/12/1941

Attorney: CLIFFORD STRIKE  
STRIKE GOODWIN & O'BRIEN  
400 ALLEN AVENUE  
PORTLAND ME 04103  
RETAINED 07/07/2008

State's Attorney: MEGIN ELAM

Filing Document: INDICTMENT  
Filing Date: 07/06/2007

Major Case Type: FELONY (CLASS A,B,C)

**Charge (s)**

1	GROSS SEXUAL ASSAULT	04/22/2002 PORTLAND
Seq 4262	17-A 253(1)(A)	Class A
BAILEY	/ POR	
2	UNLAWFUL SEXUAL CONTACT	04/22/2002 PORTLAND
Seq 4747	17-A 255(1)(A)	Class D
BAILEY	/ POR	
3	HARASSMENT BY TELEPHONE	04/22/2002 PORTLAND
Seq 716	17-A 506(1)(B)	Class E
BAILEY	/ POR	
4	THEFT BY UNAUTHORIZED TAKING OR TRANSFER	04/22/2002 PORTLAND
Seq 8315	17-A 353(1)	Class E
BAILEY	/ POR	

**Docket Events:**

07/09/2007 FILING DOCUMENT - INDICTMENT FILED ON 07/06/2007

TRANSFER - BAIL AND PLEADING GRANTED ON 07/06/2007

TRANSFER - BAIL AND PLEADING REQUESTED ON 07/06/2007

07/16/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 05/21/2007

Attorney: VERNE PARADIE

07/16/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - PARTIALLY INDIGENT ORDERED ON 05/21/2007

Attorney: VERNE PARADIE

07/16/2007 Charge(s): 1,2,3,4  
HEARING - ARRAIGNMENT SCHEDULED FOR 07/23/2007 @ 8:30

07/16/2007 Charge(s): 1,2,3,4  
HEARING - ARRAIGNMENT NOTICE SENT ON 07/16/2007

STEPHANIE TARANTINO , ASSISTANT CLERK  
07/24/2007 Charge(s): 1,2,3,4  
HEARING - ARRAIGNMENT HELD ON 07/23/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE  
DA: LEA-ANNE SUTTON Reporter: TAMMY DROUIN  
Defendant Present in Court

READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO  
DEFENDANT. 45 DAYS TO FILE MOTIONS. ATTY PARADIE REMOVED FROM ALL CASES. J. GALE  
APPOINTED IN HIS PLACE. NEW BAIL SET. DEFENDANT REMANDED.

RS

07/24/2007 Charge(s): 1,2,3,4  
PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 07/23/2007

07/24/2007 BAIL BOND - \$100,000.00 SURETY BAIL BOND SET BY COURT ON 07/23/2007  
WILLIAM BRODRICK , JUSTICE  
OR \$50,000 CASH WITH CONDITIONS.

RS

07/24/2007 BAIL BOND - SURETY BAIL BOND COND RELEASE ISSUED ON 07/23/2007  
WILLIAM BRODRICK , JUSTICE

RS

07/24/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - REMOVAL ORDERED ON 07/23/2007

Attorney: VERNE PARADIE

07/24/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 07/23/2007

Attorney: JON GALE

09/28/2007 MOTION - MOTION TO AMEND BAIL FILED BY DEFENDANT ON 09/25/2007

CONDITIONS OF RELEASE

MRP

09/28/2007 HEARING - MOTION TO AMEND BAIL SCHEDULED FOR 10/23/2007 @ 8:30 in Room No. 7

NOTICE TO PARTIES/COUNSEL

09/28/2007 HEARING - MOTION TO AMEND BAIL NOTICE SENT ON 09/28/2007

MRP

10/01/2007 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL SCHEDULED FOR 11/05/2007 @ 8:30 in Room No. 11  
ROLAND A COLE , JUSTICE

10/01/2007 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL NOTICE SENT ON 10/01/2007

JOANN HEBERT

11/02/2007 HEARING - MOTION TO AMEND BAIL HELD ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE

DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

MOTION TO AMEND BAIL DENIED. DEFENDANT REMANDED.

11/02/2007 MOTION - MOTION TO AMEND BAIL DENIED ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
COPY TO PARTIES/COUNSEL  
MRP

11/06/2007 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL CONTINUED ON 11/05/2007  
ROLAND A COLE , JUSTICE  
SET HEARING 2 HOURS  
MRP  
JAN TRIAL LIST

11/06/2007 MOTION - OTHER MOTION FILED BY DEFENDANT ON 11/05/2007  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER  
MRP

11/15/2007 HEARING - MOTION TO JOIN SCHEDULED FOR 01/04/2008 @ 8:30 in Room No. 8  
JOYCE A WHEELER , JUSTICE  
2 HOUR HEARING

11/15/2007 HEARING - MOTION TO JOIN NOTICE SENT ON 11/15/2007  
TRICIA KELLEY , ASSISTANT CLERK-E  
2 HOUR

12/05/2007 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL SCHEDULED FOR 01/11/2008 @ 8:30 in Room No. 11  
THOMAS D WARREN , JUSTICE

12/05/2007 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL NOTICE SENT ON 12/05/2007  
TLK

12/26/2007 MOTION - MOTION TO JOIN FILED BY STATE ON 12/26/2007  
MOTION TO AMEND FILED ON 12/20/2007 WITH MEMO OF LAW - TSK

01/07/2008 MOTION - MOTION TO JOIN GRANTED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
TSK

01/07/2008 MOTION - OTHER MOTION DENIED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER - MRP  
MOTION DENIED - TSK

01/07/2008 HEARING - MOTION TO JOIN HELD ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

TSK

01/08/2008 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL NOT HELD ON 01/08/2008  
CONT'D TO FEB./MAR. TRIAL LIST.

02/12/2008 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL SCHEDULED FOR 03/07/2008 @ 8:30 in Room No. 11  
JOANN HEBERT

02/14/2008 Charge(s): 1,2,3,4  
TRIAL - DOCKET CALL CONTINUED ON 02/14/2008  
  
STAGE I PENDING  
02/22/2008 PSYCHIATRIC EXAM - STAGE ONE EXAM ORDERED ON 02/19/2008  
JOYCE A WHEELER , JUDGE  
02/29/2008 LETTER - FROM NON-PARTY FILED ON 02/29/2008  
  
LETTER FROM STATE FORENSIC INFORMING THE COURT OF EXAM DATE 3/11/08 @ 8:30  
TSK  
04/15/2008 PSYCHIATRIC EXAM - STAGE ONE REPORT FILED ON 04/11/2008  
  
MRP  
07/02/2008 Charge(s): 1,2,3,4  
HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 1:00 in Room No. 7  
  
MRP  
07/02/2008 Charge(s): 1,2,3,4  
HEARING - STATUS CONFERENCE NOTICE SENT ON 07/02/2008  
  
MRP  
07/03/2008 Charge(s): 1,2,3,4  
HEARING - STATUS CONFERENCE NOT HELD ON 07/03/2008  
  
07/03/2008 HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 8:30 in Room No. 7  
  
07/08/2008 Party(s): FRANK LAPOMARDA  
ATTORNEY - RETAINED ENTERED ON 07/07/2008  
  
Attorney: CLIFFORD STRIKE  
07/22/2008 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 07/17/2008  
  
MRP  
07/23/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY COUNSEL ON 07/14/2008  
  
Attorney: JON GALE  
TSK  
07/24/2008 LETTER - FROM NON-PARTY FILED ON 07/16/2008  
  
LETTER FROM STATE FORENSIC TO RIVERVIEW INDICATING THAT THE DEFENDANT IS DISCHARGED.  
  
MRP  
07/24/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL GRANTED ON 07/23/2008  
THOMAS D WARREN , JUSTICE  
COPY TO PARTIES/COUNSEL TSK  
07/24/2008 Party(s): FRANK LAPOMARDA  
ATTORNEY - WITHDRAWN ORDERED ON 07/23/2008  
  
Attorney: JON GALE  
08/06/2008 HEARING - STATUS CONFERENCE HELD ON 08/05/2008  
WILLIAM BRODRICK , JUSTICE  
SET ON NOV TRIAL LIST TAPE #2954  
08/22/2008 TRIAL - DOCKET CALL SCHEDULED FOR 11/07/2008 @ 8:30 in Room No. 11

MRP

10/20/2008 TRIAL - DOCKET CALL NOTICE SENT ON 10/20/2008

JH

11/10/2008 TRIAL - DOCKET CALL HELD ON 11/07/2008

THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

11/14/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 11/13/2008

THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

12/10/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM STATE FORENSIC INFORMING PARTIES THAT THE STAGE III IS SET FOR 12-15-08 @ 1:00 P.M.

MRP

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE SCHEDULED FOR 03/04/2009 @ 8:30 in Room No. 7

MRP

12/12/2008 TRIAL - JURY TRIAL SCHEDULED FOR 04/06/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

MRP

12/12/2008 TRIAL - JURY TRIAL NOTICE SENT ON 12/12/2008

MRP

01/02/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 12/31/2008

02/03/2009 LETTER - FROM NON-PARTY FILED ON 12/17/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW

03/04/2009 HEARING - DISPOSITIONAL CONFERENCE HELD ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL NOT HELD ON 03/04/2009

03/04/2009 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL SCHEDULED FOR 06/15/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

03/04/2009 TRIAL - JURY TRIAL NOTICE SENT ON 03/04/2009

03/04/2009 HEARING - OTHER MOTION SCHEDULED FOR 05/22/2009 @ 8:30 in Room No. 7

JOYCE A WHEELER , JUSTICE

RELIEF FROM JOINDER

03/04/2009 ORDER - COURT ORDER FILED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

STAGE III ORDERED, DEF HAS UNTIL MAR 30, 09 TO FILE A MOTION FOR RECONSIDERATION OF ITS ORDER OF JOINDER DATED JAN 4, 08 AND ENTERED IN 07-1110, 07-1199, 07-1846 & 07-2126. THE STATE WILL HAVE 15 DAYS TO RESPOND TO THE DEFENDANTS MOTION. 08-590 WAS FILED AFTER THE ORDER OF JOINDER. THE STATE FILED A NOTICE JOINDER IN THIS CASE AND THE COURT EXPECTS THAT DEFENDANT WILL FILE A MOTION FOR RELIEF FROM PREJUDICIAL JOINDER WITH RESPECT TO 08-590. MOTION HEARINGS SET BEFORE J WHEELER 5-22-09 @ 8:30

03/05/2009 HEARING - OTHER MOTION NOTICE SENT ON 03/05/2009

RELIEF FROM JOINDER

03/31/2009 MOTION - MOTION RELIEF PREJUDICIAL JOIN FILED BY DEFENDANT ON 03/31/2009

05/21/2009 HEARING - OTHER MOTION CONTINUED ON 05/21/2009

RELIEF FROM JOINDER

06/04/2009 ORDER - COURT ORDER FILED ON 06/02/2009

JOYCE A WHEELER , JUSTICE

ORDER ON RECONSIDERATION OF JOINDER THE ENTRY IS: CR-07-1110 & CR-07-1199, COUNTS II, III & IV IN CR-07-1846, COUNTS II & III IN CR-08-590 ARE HEREBY JOINED BUT WITH NO OTHER CASES INVOLVING OTHER VICTIMS; COUNT I IN CR-07-1846 & COUNT 1 IN CR-08-590 ARE HERBY JOINED WITH EACH OTHER BUT WITH NO CASES INVOLVING DIFFERENT VICTIMS; AND CR-07-2162 SHALL BE TRIED SEPERATLEY.

A TRUE COPY

ATTEST:

\_\_\_\_\_  
Clerk

STATE OF MAINE  
vs  
FRANK LAPOMARDA  
6 HOMESTEAD AVE  
PORTLAND ME 04101

SUPERIOR COURT  
CUMBERLAND, ss.  
Docket No PORSC-CR-2007-02126

**DOCKET RECORD**

DOB: 12/12/1941

Attorney: CLIFFORD STRIKE  
STRIKE GOODWIN & O'BRIEN  
400 ALLEN AVENUE  
PORTLAND ME 04103  
RETAINED 07/08/2008

State's Attorney: MEGIN ELAM

Filing Document: INDICTMENT  
Filing Date: 08/10/2007

Major Case Type: FELONY (CLASS A,B,C)

**Charge(s)**

**1 AGGRAVATED ASSAULT** **07/27/2005 PORTLAND**  
**Seq 629 17-A 208(1)(A)** **Class B**  
**BAILEY / POR**

**Docket Events:**

08/14/2007 FILING DOCUMENT - INDICTMENT FILED ON 08/10/2007

TRANSFER - BAIL AND PLEADING GRANTED ON 08/10/2007

TRANSFER - BAIL AND PLEADING REQUESTED ON 08/10/2007

08/14/2007 Party(s): FRANK LAPOMARDA  
ATTORNEY - APPOINTED ORDERED ON 08/10/2007

Attorney: JON GALE

08/14/2007 Charge(s): 1  
HEARING - ARRAIGNMENT SCHEDULED FOR 08/21/2007 @ 8:30 in Room No. 7  
WILLIAM BRODRICK , JUSTICE  
RS

08/14/2007 Charge(s): 1  
HEARING - ARRAIGNMENT NOTICE SENT ON 08/14/2007

RS

08/22/2007 Charge(s): 1  
HEARING - ARRAIGNMENT HELD ON 08/21/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: DIANE MCMANUS  
Defendant Present in Court

READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO DEFENDANT. 21 DAYS TO FILE MOTIONS. NEW BAIL SET. DEFENDANT REMANDED.

RS

08/22/2007 Charge(s): 1  
PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 08/21/2007



08/22/2007 BAIL BOND - \$100,000.00 SURETY BAIL BOND SET BY COURT ON 08/21/2007  
WILLIAM BRODRICK , JUSTICE  
OR \$50,000 CASH. RS

08/22/2007 BAIL BOND - SURETY BAIL BOND COND RELEASE ISSUED ON 08/21/2007  
WILLIAM BRODRICK , JUSTICE  
RS

09/28/2007 MOTION - MOTION TO AMEND BAIL FILED BY DEFENDANT ON 09/25/2007  
CONDITIONS OF RELEASE

09/28/2007 HEARING - MOTION TO AMEND BAIL SCHEDULED FOR 10/23/2007 @ 8:30 in Room No. 7  
MRP

09/28/2007 HEARING - MOTION TO AMEND BAIL NOTICE SENT ON 09/28/2007  
NOTICE TO PARTIES/COUNSEL MRP

10/31/2007 HEARING - MOTION TO AMEND BAIL HELD ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

10/31/2007 HEARING - MOTION TO AMEND BAIL HELD ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON  
Defendant Present in Court

MOTION DENIED, DEFENDANT REMANDED. TSK

10/31/2007 BAIL BOND - SURETY BAIL BOND CONTINUED AS SET ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
TSK

10/31/2007 MOTION - MOTION TO AMEND BAIL DENIED ON 10/23/2007  
WILLIAM BRODRICK , JUSTICE  
COPY TO PARTIES/COUNSEL TSK

11/06/2007 MOTION - OTHER MOTION FILED BY DEFENDANT ON 11/05/2007  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER  
MRP

11/15/2007 HEARING - MOTION TO JOIN SCHEDULED FOR 01/04/2008 @ 8:30 in Room No. 8  
JOYCE A WHEELER , JUSTICE  
2 HOUR HEARING

11/15/2007 HEARING - MOTION TO JOIN NOTICE SENT ON 11/15/2007  
TRICIA KELLEY , ASSISTANT CLERK-E  
2 HORS

12/26/2007 MOTION - MOTION TO JOIN FILED BY STATE ON 12/20/2007  
AMENDED MOTION FILED 12/20/07 WITH MOEMO OF LAW - TSK

01/07/2008 MOTION - OTHER MOTION DENIED ON 01/04/2008  
MOTION IN OPPOSITION TO STATE'S MOTION TO JOIN, MOTION TO SEVER - MRP  
MOTION DENIED - TSK

01/07/2008 MOTION - MOTION TO JOIN GRANTED ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
CR07-1110 AND 07-1199 JOINED BY AGREEMENT. COUNTS 2,3 AND 4 ON DOCKET 07-1846 JOINED BY  
AGREEMENT.

01/07/2008 HEARING - MOTION TO JOIN HELD ON 01/04/2008  
JOYCE A WHEELER , JUSTICE  
Attorney: JON GALE  
DA: MEGIN ELAM Reporter: TIMOTHY THOMPSON

Defendant Present in Court

TSK

02/12/2008 Charge(s): 1  
TRIAL - DOCKET CALL SCHEDULED FOR 03/07/2008 @ 8:30 in Room No. 11

JOANN HEBERT

02/14/2008 Charge(s): 1  
TRIAL - DOCKET CALL CONTINUED ON 02/14/2008

STAGE I PENDING

02/22/2008 PSYCHIATRIC EXAM - STAGE ONE EXAM ORDERED ON 02/19/2008  
JOYCE A WHEELER , JUDGE

02/29/2008 LETTER - FROM NON-PARTY FILED ON 02/29/2008

LETTER FROM STATE FORENSICS INFORMING THE COURT OF EXAM ON 3/11/08 @8:30  
TSK

04/15/2008 PSYCHIATRIC EXAM - STAGE ONE REPORT FILED ON 04/11/2008

MRP

07/02/2008 Charge(s): 1  
HEARING - STATUS CONFERENCE SCHEDULED FOR 08/05/2008 @ 8:30 in Room No. 7

MRP

07/02/2008 Charge(s): 1  
HEARING - STATUS CONFERENCE NOTICE SENT ON 07/02/2008

07/08/2008 Party(s): FRANK LAPOMARDA  
ATTORNEY - RETAINED ENTERED ON 07/08/2008

Attorney: CLIFFORD STRIKE

07/22/2008 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 07/17/2008

MRP

07/23/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY COUNSEL ON 07/14/2008

Attorney: JON GALE

TSK

07/24/2008 LETTER - FROM NON-PARTY FILED ON 07/16/2008

LETTER FROM STATE FORENSIC INFORMING RIVERVIEW THAT THE DEFENDANT IS BEING DISCHARGED.

MRP

07/24/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL GRANTED ON 07/23/2008  
THOMAS D WARREN , JUSTICE  
COPY TO PARTIES/COUNSEL

TSK

07/24/2008 Party(s): FRANK LAPOMARDA  
ATTORNEY - WITHDRAWN ORDERED ON 07/23/2008

Attorney: JON GALE

08/06/2008 Charge(s): 1  
HEARING - STATUS CONFERENCE HELD ON 08/05/2008  
WILLIAM BRODRICK , JUSTICE

SET ON NOV TRIAL LIST

08/22/2008 TRIAL - DOCKET CALL SCHEDULED FOR 11/07/2008 @ 8:30 in Room No. 11

MRP

10/20/2008 TRIAL - DOCKET CALL NOTICE SENT ON 10/20/2008

JH

11/10/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 11/13/2008

THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

11/10/2008 TRIAL - DOCKET CALL HELD ON 11/07/2008

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE SCHEDULED FOR 03/04/2009 @ 8:30 in Room No. 7

MRP

12/12/2008 TRIAL - JURY TRIAL SCHEDULED FOR 04/06/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

MRP

12/12/2008 TRIAL - JURY TRIAL NOTICE SENT ON 12/12/2008

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE NOTICE SENT ON 12/12/2008

01/02/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 12/31/2008

02/03/2009 LETTER - FROM NON-PARTY FILED ON 12/17/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW

03/04/2009 HEARING - DISPOSITIONAL CONFERENCE HELD ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL NOT HELD ON 03/04/2009

03/04/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 03/04/2009

03/04/2009 TRIAL - JURY TRIAL SCHEDULED FOR 06/15/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

03/04/2009 TRIAL - JURY TRIAL NOTICE SENT ON 03/04/2009

03/05/2009 HEARING - OTHER MOTION SCHEDULED FOR 05/22/2009 @ 8:30 in Room No. 7

JOYCE A WHEELER , JUSTICE

RELIEF FROM JOINDER

03/05/2009 ORDER - COURT ORDER FILED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

STAGE III ORDERED, DEF HAS UNTIL MAR 30, 09 TO FILE A MOTION FOR RECONSIDERATION OF IT'S ORDER OF JOINDER DATED JAN 4, 08 AND ENTERED IN 07-1110,07-1199, 07-1846 AND 07-2126. THE STATE WILL HAVE 15 DAYS TO RESPOND TO THE DEFENDANT'S MOTION. 08-590 WAS FILED AFTER THE ORDER OF JOINDER. THE STATE FILED A NOTICE OF JOINDER IN THIS CASE AND THE COURT EXPECTS THAT DEFENDANT WILL FILE A MOTION FOR RELIEF FROM PREJUDICIAL JOINDER WITH RESPECT TO 08-590. MOTION HEARING SET BEFORE J WHEELER 5-22-09 8:30

03/05/2009 HEARING - OTHER MOTION NOTICE SENT ON 03/05/2009

RELIEF FROM JOINDER

03/31/2009 MOTION - MOTION RELIEF PREJUDICIAL JOIN FILED BY DEFENDANT ON 03/31/2009

05/21/2009 HEARING - OTHER MOTION CONTINUED ON 05/21/2009

RELIEF FROM JOINDER

05/22/2009 HEARING - OTHER HEARING SCHEDULED FOR 06/01/2009 @ 9:00 in Room No. 8

JOYCE A WHEELER , JUSTICE

NOTICE TO PARTIES/COUNSEL

MOTION FOR

RELIEF OF JOINDER

06/01/2009 HEARING - OTHER HEARING HELD ON 06/01/2009

JOYCE A WHEELER , JUSTICE

Attorney: CLIFFORD STRIKE

DA: MEGIN ELAM

Reporter: TIMOTHY THOMPSON

Defendant Present in Court

UNDER ADVISEMENT

06/04/2009 ORDER - COURT ORDER FILED ON 06/02/2009

JOYCE A WHEELER , JUSTICE

ORDER ON RECONSIDERATION OF JOINDER: THE ENTRY IS: CR-07-1110 & CR-07-1199, COUNTS II & III IN CR-08-590 ARE HERBY JOINED BUT WITH NO OTHER CASES INVOLVING OTHER VICTIMS COUNT I IN CR-07-1846 AND COUNT 1 IN CR-08-590 ARE HERBY JOINED WITH EACH OTHER BUT WITH NO CASES INVOLVING DIFFERENT VICTIMS; AND CR-07-2162 SHALL BE TRIED SEPERATELY

A TRUE COPY

ATTEST:

\_\_\_\_\_  
Clerk

STATE OF MAINE  
vs  
FRANK LAPOMARDA  
6 HOMESTEAD AVE  
PORTLAND ME 04101

SUPERIOR COURT  
CUMBERLAND, ss.  
Docket No PORSC-CR-2008-00590

**DOCKET RECORD**

DOB: 12/12/1941

Attorney: CLIFFORD STRIKE  
STRIKE GOODWIN & O'BRIEN  
400 ALLEN AVENUE  
PORTLAND ME 04103  
RETAINED 07/07/2008

State's Attorney: ROBERT ELLIS

Filing Document: INDICTMENT  
Filing Date: 03/05/2008

Major Case Type: FELONY (CLASS A,B,C)

**Charge (s)**

1	GROSS SEXUAL ASSAULT		04/22/2002 PORTLAND
Seq 4262	17-A 253(1)(A)	Class A	
BAILEY	/ POR		
2	GROSS SEXUAL ASSAULT		04/22/2002 PORTLAND
Seq 4262	17-A 253(1)(A)	Class A	
BAILEY	/ POR		
3	GROSS SEXUAL ASSAULT		04/22/2002 PORTLAND
Seq 4262	17-A 253(1)(A)	Class A	
BAILEY	/ POR		

**Docket Events:**

03/06/2008 FILING DOCUMENT - INDICTMENT FILED ON 03/05/2008

TRANSFER - BAIL AND PLEADING GRANTED ON 03/05/2008

TRANSFER - BAIL AND PLEADING REQUESTED ON 03/05/2008

03/06/2008 Charge(s): 1,2,3

HEARING - ARRAIGNMENT SCHEDULED FOR 04/09/2008 @ 8:30 in Room No. 7

03/06/2008 Party(s): FRANK LAPOMARDA

ATTORNEY - APPOINTED ORDERED ON 03/05/2008

Attorney: JON GALE

03/06/2008 Charge(s): 1,2,3

HEARING - ARRAIGNMENT NOTICE SENT ON 03/06/2008

STEPHANIE TARANTINO , ASSISTANT CLERK

03/12/2008 OTHER FILING - NOTICE OF JOINDER FILED BY STATE ON 03/05/2008

CASE JOINED WITH 07-1846 AND 07-1110

04/09/2008 Charge(s): 1,2,3

HEARING - ARRAIGNMENT CONTINUED ON 04/09/2008

NANCY MILLS , JUSTICE

Attorney: JON GALE

DA: DEBORAH CHMIELEWSKI Reporter: LISA BISHOP  
CONTINUED FOR 30 DAYS. PENDING OUTCOME OF STAGE III.

RS

04/09/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT SCHEDULED FOR 05/13/2008 @ 8:30 in Room No. 7

RS

04/09/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT NOTICE SENT ON 04/09/2008

RS

05/14/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT CONTINUED ON 05/13/2008  
WILLIAM BRODRICK , JUSTICE  
COMBINATION STAGE II AND III ORDERED.

RS

05/14/2008 PSYCHIATRIC EXAM - STAGE TWO EXAM ORDERED ON 05/13/2008  
WILLIAM BRODRICK , JUSTICE

RS

05/14/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 05/13/2008  
WILLIAM BRODRICK , JUSTICE

RS

05/16/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT SCHEDULED FOR 07/22/2008 @ 8:30 in Room No. 7

RS

05/16/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT NOTICE SENT ON 05/16/2008

RS

06/17/2008 LETTER - FROM NON-PARTY FILED ON 06/12/2008

LETTER FROM STATE FORENSIC INFORMING PARTIES THAT THE DEFENDANT WILL BE ADMITTED ON 6/3/08  
@ 10:00 A.M. INTO RIVERVIEW

MRP

07/08/2008 Party(s): FRANK LAPOMARDA  
ATTORNEY - RETAINED ENTERED ON 07/07/2008

Attorney: CLIFFORD STRIKE

07/22/2008 Charge(s): 1,2,3  
HEARING - ARRAIGNMENT HELD ON 07/22/2008  
WILLIAM BRODRICK , JUSTICE  
Attorney: CLIFFORD STRIKE  
Defendant Present in Court

READING WAIVED. DEFENDANT INFORMED OF CHARGES. COPY OF INDICTMENT/INFORMATION GIVEN TO  
DEFENDANT. 21 DAYS TO FILE MOTIONS. NEW BAIL SET. DEFENDANT REMANDED.

RS

07/22/2008 Charge(s): 1,2,3  
PLEA - NOT GUILTY ENTERED BY DEFENDANT ON 07/22/2008

07/22/2008 BAIL BOND - \$50,000.00 CASH BAIL BOND SET BY COURT ON 07/22/2008  
WILLIAM BRODRICK , JUSTICE

RS

07/22/2008 TRIAL - DOCKET CALL SCHEDULED FOR 11/07/2008 @ 8:30 in Room No. 11

RS

07/22/2008 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 07/17/2008

MRP

07/23/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL FILED BY COUNSEL ON 07/14/2008

Attorney: JON GALE

TSK

07/24/2008 LETTER - FROM NON-PARTY FILED ON 07/16/2008

LETTER FROM STATE FORENSIC TO RIVERVIEW INDICATING THAT THE DEFENDANT IS DISCHARGED FROM RIVER PSYCHIATRIC CENTER.

MRP

07/24/2008 MOTION - MOTION FOR WITHDRAWAL OF CNSL GRANTED ON 07/23/2008

THOMAS D WARREN , JUSTICE

COPY TO PARTIES/COUNSEL

TSK

07/24/2008 Party(s): FRANK LAPOMARDA

ATTORNEY - WITHDRAWN ORDERED ON 07/23/2008

Attorney: JON GALE

10/20/2008 TRIAL - DOCKET CALL NOTICE SENT ON 10/20/2008

JH

11/10/2008 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 11/13/2008

11/10/2008 TRIAL - DOCKET CALL HELD ON 11/07/2008

THOMAS E HUMPHREY , SUPERIOR COURT CHIEF JUSTICE

12/05/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM RIVERVIEW RE: DEFENDANT BEING ADMITTED 11-25-08 @ 11:00 A.M.

MRP

12/10/2008 LETTER - FROM NON-PARTY FILED ON 12/04/2008

LETTER FROM STATE FORENSIC INFORMING PARTIES TAT THE STAE III IS SET FOR 12-15-08

MRP

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE SCHEDULED FOR 03/04/2009 @ 8:30 in Room No. 7

MRP

12/12/2008 TRIAL - JURY TRIAL SCHEDULED FOR 04/06/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

MRP

12/12/2008 TRIAL - JURY TRIAL NOTICE SENT ON 12/12/2008

12/12/2008 HEARING - DISPOSITIONAL CONFERENCE NOTICE SENT ON 12/12/2008

MRP

01/02/2009 PSYCHIATRIC EXAM - STAGE THREE REPORT FILED ON 12/31/2008

MRP

02/03/2009 LETTER - FROM PARTY FILED ON 12/17/2008

03/04/2009 HEARING - DISPOSITIONAL CONFERENCE HELD ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL NOT HELD ON 03/04/2009

03/04/2009 PSYCHIATRIC EXAM - STAGE THREE EXAM ORDERED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

03/04/2009 TRIAL - JURY TRIAL SCHEDULED FOR 06/15/2009 @ 8:30 in Room No. 11

NOTICE TO PARTIES/COUNSEL

03/04/2009 TRIAL - JURY TRIAL NOTICE SENT ON 03/04/2009

03/05/2009 HEARING - OTHER MOTION SCHEDULED FOR 05/22/2009 @ 8:30 in Room No. . 7

JOYCE A WHEELER , JUSTICE

RELIEF FROM PREJUDICIAL JOINDER

03/05/2009 ORDER - COURT ORDER FILED ON 03/04/2009

JOYCE A WHEELER , JUSTICE

STAGE III ORDERED, DEF HAS UNTIL MAR 30, 09 TO FILE A MOTION FOR RECONSIDERATION OF ITS ORDER OF JOINDER DATED JAN 4, 08 AND ENTERED IN 07-1110, 07-1199, 07-1846 AND 07-2126. THE STATE WILL HAVE 15 DAYS TO RESPOND TO THE DEFENDANT'S MOTION. 08-590 WAS FILED AFTER THE ORDER OF JOINDER. THE STATE FILED A NOTICE OF JOINDER IN THIS CASE AND THE COURT EXPECTS THAT DEFENDANT WILL FILE A MOTION FOR RELIEF FROM PREJUDICIAL JOINDER WITH RESPECT TO 08-590. MOTION HEARING SET BEFORE J WHEELER ON 5-22-09

03/05/2009 HEARING - OTHER MOTION NOTICE SENT ON 03/05/2009

RELIEF FROM PREJUDICIAL JOINDER

03/31/2009 MOTION - MOTION RELIEF PREJUDICIAL JOIN FILED BY DEFENDANT ON 03/31/2009

05/21/2009 HEARING - OTHER MOTION CONTINUED ON 05/21/2009

RELIEF FROM PREJUDICIAL JOINDER

05/22/2009 HEARING - OTHER HEARING SCHEDULED FOR 06/01/2009 @ 9:00 in Room No. 8

JOYCE A WHEELER , JUSTICE

NOTICE TO PARTIES/COUNSEL

MOTION FOR

RELIEF OF JOINDER

06/04/2009 HEARING - OTHER HEARING HELD ON 06/01/2009

JOYCE A WHEELER , JUSTICE

06/04/2009 ORDER - COURT ORDER FILED ON 06/02/2009

JOYCE A WHEELER , JUSTICE

ORDER ON RECONSIDERATION OF JOINDER: THE ENTRY IS: CR-07-1110 & CR-07-1199, COUNTS II, III & IV IN CR-07-1846, COUNTS II & III IN CR 08-590 ARE HEREBY JOINED BUT WITH NO OTHER CASES INVOLVING OTHER VICTIMS; COUNT I IN CR 07-1846 & COUNT I IN CR-08-590 ARE HEREBY JOINED WITH EACH OTHER BUT WITH NO CASES INVOLVING DIFFERENT VICTIMS; AND CR 07-2162 SHALL BE TRIED SEPRATELY

A TRUE COPY

ATTEST:

\_\_\_\_\_  
Clerk