

1 THE COURT: This is Cases Number 2
2 and 3. Case 2, being Lonnie Spector and Case 3,
3 being Gregory Spector.

4 The Court has been presented with
5 Question No. 10 from our deliberating jury.

6 This is the question: Are the
7 defendants guilty of conspiracy if they only
8 conspired on one or two of the crimes but not the
9 rest.

10 That's their question.

11 MS. HEARD: And Your Honor, I would
12 say that they are -- they are guilty of conspiracy
13 with respect to the specific crime.

14 THE COURT: Right.

15 MS. HEARD: So if they find that
16 there's a conspiracy with respect to one or two of
17 the crimes, then they are guilty of conspiracy --

18 THE COURT: For those crimes.

19 MS. HEARD: -- for those crimes, but
20 not the other crimes.

21 THE COURT: I think they seem to be
22 struggling with figuring that out.

23 MR. FEINMAN: Your Honor, I agree
24 with this -- in this respect, that if the jury
25 determines that they have decided that the

1 Commonwealth has proven beyond a reasonable doubt
2 that defendants are guilty of a conspiracy, they
3 have to identify in which act that conspiracy is
4 related to.

5 THE COURT: That's good. Say that
6 again?

7 MR. FEINMAN: If the jury has
8 determined beyond a reasonable doubt -- if the jury
9 has determined that the Commonwealth has established
10 beyond a reasonable doubt that the defendants are
11 guilty of a conspiracy, then the jury has to
12 identify which criminal act that conspiracy is
13 connected to. And of course, they have to also
14 conclude that the elements of that criminal act have
15 been proven beyond a reasonable doubt.

16 THE COURT: Mr. McGovern.

17 MR. McGOVERN: I concur with
18 Mr. Feinman, and I think, essentially, Ms. Heard
19 was, basically, saying a very similar thing.

20 THE COURT: If the jury determines
21 beyond a reasonable doubt that the defendants are
22 guilty of conspiracy, the jury must identify which
23 charge the conspiracy is identified to or attached
24 to.

25 MR. FEINMAN: I think it's which

1 charge or charges.

2 THE COURT: Yes. That's what --
3 which charges.

4 MR. FEINMAN: Well, I would say which
5 charge or charges. If it's charges, it's applying
6 that there's multiple --

7 THE COURT: Which charge or charges.

8 MR. FEINMAN: Correct.

9 MS. HEARD: I think that's fair, Your
10 Honor.

11 THE COURT: Okay. All right. If the
12 jury determines beyond a reasonable doubt that the
13 defendants are guilty of conspiracy, the jury must
14 identify which charge or charges conspiracy is
15 identified to.

16 MR. McGOVERN: And Your Honor, one
17 thing that Mr. Feinman added, which I thought was
18 appropriate was -- and of course that charge must be
19 proven beyond a reasonable doubt.

20 THE COURT: Right.

21 MR. McGOVERN: That the conspiracy
22 must be proven beyond a reasonable doubt and that
23 the charge that it's connected to must also be
24 proven beyond a reasonable doubt.

25 THE COURT: So if the jury determines

1 beyond a reasonable doubt that the defendants are
2 guilty of conspiracy, the jury must identify which
3 charge or charges the conspiracy is connected to and
4 those charges -- or charge -- I guess I'll put an S
5 around it -- must also be proven beyond a reasonable
6 doubt.

7 MR. FEINMAN: Yes.

8 THE COURT: Commonwealth, is that...

9 MS. HEARD: Yes, Your Honor. I think
10 that's perfect.

11 (Whereupon, there was a break in the
12 proceedings.)

13 THE COURT: Before the jury comes, I
14 must state on the record that if you can't control
15 yourself -- I don't want any outbursts. If you
16 can't sit there and be quiet, you will be asked to
17 leave. You will be escorted out of the courtroom.
18 We must have order in the courtroom whatever the
19 verdict is.

20 THE COURT OFFICER: Your Honor, may I
21 bring the jury out?

22 THE COURT: Yes.

23 (Jury enters the courtroom at 11:58
24 a.m.)

25 THE COURT OFFICER: Your Honor, all

1 parties are now present. May the verdict be taken?

2 THE COURT: Yes.

3 THE COURT OFFICER: Will the
4 defendant, Lonnie Scott (sic), please rise and face
5 the jury -- Mr. Spector, I apologize.

6 Will the foreperson please rise.

7 Sir, have you reached a verdict?

8 MR. FOREPERSON: Yes.

9 THE COURT OFFICER: Do all 12 jurors
10 agree?

11 MR. FOREPERSON: Yes.

12 THE COURT OFFICER: On the matter of
13 the Commonwealth versus Lonnie Spector, the Docket
14 Number CP-51-CR-12821-2013, to the charge of
15 criminal attempted murder, how do you find?

16 MR. FOREPERSON: Not guilty.

17 THE COURT OFFICER: Through the same
18 docket number to the charge of robbery inflict
19 serious bodily injury, how do you find?

20 MR. FOREPERSON: Not guilty.

21 THE COURT OFFICER: Through the same
22 docket number to the charge of aggravated assault,
23 how do you find?

24 MR. FOREPERSON: Not guilty.

25 THE COURT OFFICER: Through the same

1 docket number to the charge of conspiracy, how do
2 you find?

3 MR. FOREPERSON: Guilty.

4 THE COURT OFFICER: Through the same
5 docket number to the charge of possessing an
6 instrument of crime, how do you find?

7 MR. FOREPERSON: Not guilty.

8 THE COURT OFFICER: Through the same
9 docket number to the charge of simple assault, how
10 do you find?

11 MR. FOREPERSON: Not guilty.

12 THE COURT OFFICER: Through the same
13 docket number to the charge of attempted theft, how
14 do you find?

15 MR. FOREPERSON: Guilty.

16 THE COURT OFFICER: Through the same
17 docket number to the charge of attempted receiving
18 stolen property, how do you find?

19 MR. FOREPERSON: Guilty.

20 THE COURT OFFICER: Your Honor, the
21 verdict has been taken. May the verdict now be
22 recorded?

23 THE COURT: Does anyone wish to poll
24 the jury?

25 MR. FEINMAN: Your Honor, if I may

1 have a moment?

2 THE COURT: Sure.

3 - - -

4 (Pause.)

5 - - -

6 MR. FEINMAN: No, Your Honor.

7 THE COURT: Okay. You may record the
8 verdict.

9 THE COURT OFFICER: Ladies and
10 gentlemen of the jury, Hark into your verdict as
11 this Court has recorded it here today.

12 In the matter of Commonwealth versus
13 Lonnie Spector on the bill of information
14 CR-12821-2013 to the charge of criminal attempted
15 murder, you find the defendant not guilty.

16 Through the same docket number to the
17 charge of robbery inflict serious bodily injury, you
18 find the defendant not guilty.

19 Through the same docket number to the
20 charge of aggravated assault, you find the defendant
21 not guilty.

22 Through the same docket number to the
23 charge of conspiracy, you find the defendant guilty.

24 To the charge of possessing an
25 instrument of crime, you find the defendant not

1 guilty.

2 Through the same docket number to the
3 charge of simple assault, you find the defendant not
4 guilty.

5 Through the same docket number to the
6 charge of attempted theft, you find the defendant
7 guilty.

8 Through the same docket number to the
9 charge of attempted receiving stolen property, you
10 find the defendant guilty.

11 So ladies and gentlemen of the
12 verdict so say you one so say you all?

13 Please answer.

14 (The jury answers in the
15 affirmative.)

16 THE COURT OFFICER: Judge, the
17 verdict has now been record.

18 Your Honor, may we move to the second
19 defendant, Gregory Spector?

20 THE COURT: Yes.

21 THE COURT OFFICER: Please stand.

22 Sir, have you reached a verdict?

23 MR. FOREPERSON: Yes.

24 THE COURT OFFICER: Do all 12 jurors
25 agree?

1 MR. FOREPERSON: Yes.

2 THE COURT OFFICER: On the matter of
3 Commonwealth versus Gregory Spector, Docket Number
4 CP-51-CR-12822-2013, to the charge of criminal
5 attempted murder, how do you find?

6 MR. FOREPERSON: Guilty.

7 THE COURT OFFICER: Through the same
8 docket number to the charge of robbery inflict
9 serious bodily injury, how do find?

10 MR. FOREPERSON: Guilty.

11 THE COURT OFFICER: Through the same
12 docket number to the charge of aggravated assault,
13 how do you find?

14 MR. FOREPERSON: Guilty.

15 THE COURT OFFICER: Through the same
16 docket number to the charge of conspiracy, how do
17 you find?

18 MR. FOREPERSON: Guilty.

19 THE COURT OFFICER: Through the same
20 docket number to the charge of possessing an
21 instrument of crime, how do you find?

22 MR. FOREPERSON: Guilty.

23 THE COURT OFFICER: Through the same
24 docket number to the charge of simple assault, how
25 do you find?

1 MR. FOREPERSON: Guilty.

2 THE COURT OFFICER: Through the same
3 docket number to the charge of attempted theft, how
4 do you find?

5 MR. FOREPERSON: Guilty.

6 THE COURT OFFICER: Through the same
7 docket number to the charge of attempted receiving
8 stolen property, how do you find?

9 MR. FOREPERSON: Guilty.

10 THE COURT OFFICER: Through the same
11 docket number to the charge of recklessly
12 endangering another person, how do you find?

13 MR. FOREPERSON: Guilty.

14 THE COURT OFFICER: Your Honor, the
15 verdict has been taken. May the verdict be
16 recorded?

17 MR. McGOVERN: Your Honor, may the
18 jury be polled?

19 THE COURT: Poll the jury, please.

20 MR. McGOVERN: Your Honor, may my
21 client remain seated?

22 THE COURT: Yes. He may remain
23 seated. I understand.

24 THE COURT OFFICER: Ladies and
25 gentlemen of the jury, do you agree with or disagree

1 with the verdict as it's been stated here in open
2 court by your foreperson.

3 Juror Number 1, do you agree or
4 disagree?

5 JUROR NO. 1: I agree.

6 THE COURT OFFICER: Juror Number 2,
7 do you agree or disagree?

8 JUROR NO. 2: Agree.

9 THE COURT OFFICER: Juror Number 3,
10 do you agree or disagree?

11 JUROR NO. 3: Agree.

12 THE COURT OFFICER: Juror Number 4,
13 do you agree or disagree?

14 JUROR NO. 4: Agree.

15 THE COURT OFFICER: Juror Number 5,
16 do you agree or disagree?

17 JUROR NO. 5: Agree.

18 THE COURT OFFICER: Juror Number 6,
19 do you agree or disagree?

20 JUROR NO. 6: Agree.

21 THE COURT OFFICER: Juror Number 7,
22 do you agree or disagree?

23 JUROR NO. 7: I agree.

24 THE COURT OFFICER: Juror Foreperson,
25 do you agree or disagree?

1 MR. FOREPERSON: Agree.

2 THE COURT OFFICER: Juror Number 9,
3 do you agree or disagree?

4 JUROR NO. 9: Agree.

5 THE COURT OFFICER: Juror Number 10,
6 do you agree or disagree?

7 JUROR NO. 10: Agree.

8 THE COURT OFFICER: Juror Number 11,
9 do you agree or disagree?

10 JUROR NO. 11: Agree.

11 THE COURT OFFICER: Juror Number 12,
12 do you agree or disagree?

13 JUROR NO. 12: Agree.

14 THE COURT OFFICER: Your Honor, the
15 verdict has been taken and the jury has been polled.
16 May the verdict now be recorded?

17 THE COURT: Yes.

18 THE COURT OFFICER: Ladies and
19 gentlemen of the jury, Hark into your verdict that
20 this Court has recorded here today.

21 The matter of Commonwealth verses
22 Gregory Spector to the bill of information
23 CP-51-CR-12822-2013, to the charge of criminal
24 attempted murder, you find the defendant guilty.

25 Through the same docket number to the

1 'charge of robbery inflicted serious bodily injury,
2 you find the defendant guilty.

3 Through the same docket number to the
4 charge of aggravated assault, you find the defendant
5 guilty.

6 Through the same docket number to the
7 charge of conspiracy, you find the defendant guilty.

8 Through the same docket number to the
9 charge of conspiracy, you find the defendant guilty.

10 Through the same docket number to the
11 charge of possessing an instrument of crime, you
12 find the defendant guilty.

13 Through the same docket number to the
14 charge of simple assault, you find the defendant
15 guilty.

16 Through the same docket number to the
17 charge of attempted theft, you find the defendant
18 guilty.

19 Through the same docket number to the
20 charge of attempted receiving stolen property, you
21 find the defendant guilty.

22 Through the same docket number to the
23 charge of recklessly endangering another person, you
24 find the defendant guilty.

25 Ladies and gentlemen of the jury, so

1 say you one so say you all?

2 Please answer.

3 (The jury answers in the
4 affirmative.)

5 THE COURT OFFICER: Your Honor, the
6 verdict has been recorded.

7 THE COURT: All right. Ladies and
8 gentlemen, I can see all your reactions. This was a
9 very serious and, obviously, very emotional case.
10 And I want to thank each and every one of you for
11 your due diligence and your careful attention and
12 your questions and your efforts to get it right, as
13 you see it.

14 And I just want to thank you for your
15 seriousness and your attention. You certainly stood
16 up as citizens of the City of Philadelphia to come
17 and consider the case and render a verdict as you
18 see it. So I just want to thank all of you.

19 (Jury exits the courtroom at 12:06
20 p.m.)

21 THE COURT: The verdict having been
22 rendered, I guess, we can do the pretrial process
23 motions.

24 MS. HEARD: Yes, Your Honor. I will
25 have a motion with respect to defendant Lonnie

1 Spector to revoke bail. I also have a motion with
2 respect to Gregory Spector to also revoke bail.

3 MR. FEINMAN: That's for both?

4 THE COURT: You said for both?

5 MS. HEARD: For both.

6 THE COURT: Okay. We'll start with
7 Lonnie Spector.

8 MR. FEINMAN: Your Honor, we would
9 impose any motion for revocation of bail.

10 Your Honor had the opportunity to
11 hear the case, the verdicts of the jury with respect
12 to the felonies and most serious charges were not
13 guilty.

14 The three charges here are
15 conspiracy, attempted theft, attempted receiving
16 stolen property. There's ample bail currently
17 posted.

18 Furthermore, as Your Honor got to
19 hear during the trial, my client is a longstanding
20 member of the community, has strong ties to the
21 community, has family business ties to the
22 community.

23 The issue is in deciding whether or
24 not to revoke bail. Looking at those ties, looking
25 at the charges that my client has been found guilty

1 of, I haven't looked fully, but I believe sentencing
2 guidelines are RS to three plus or minus three on
3 the attempted theft unlawful taking, and RS to one
4 on the attempted RS -- receiving stolen property
5 charge.

6 THE COURT: Right. Because they're
7 MIs, correct? Misdemeanors?

8 MS. HEARD: Correct.

9 MR. FEINMAN: And I would submit,
10 Your Honor, that would be appropriate to allow my
11 client to continue to remain on bail and to be able
12 to participate in all stages of the presentence
13 investigation evaluation.

14 I don't think he's a risk to the
15 community. I don't think he's a risk to the
16 complainant. I don't think there's a risk of
17 flight, and I believe that in all circumstances,
18 it's appropriate that he remain on bail.

19 The bail that's in place is
20 substantial enough to assure his appearances. And
21 Your Honor, it's \$50,000.

22 THE COURT: Your client is 25,000?

23 MR. FEINMAN: No, it was 500,000, 10
24 percent cash bail. \$50,000.

25 THE COURT: No. Lonnie Spector is

1 \$25,000. That's Gregory.

2 MR. FEINMAN: I beg your pardon, yes.

3 THE COURT: Your client's bail is
4 25,000?

5 MR. FEINMAN: Yes.

6 THE COURT: Okay. Mr. McGovern.

7 MR. MCGOVERN: Thank you, Your Honor.

8 Your Honor, my client is certainly
9 not a flight risk. As the Court has heard, he has
10 lived his entire life in the Philadelphia area. He
11 has a wife, a three-year-old child and a
12 one-and-a-half-year-old child.

13 This is his first, although a very
14 serious, verdict that has been turn. The question
15 is, Your Honor, he has \$50,000 bail posted, as
16 strong as ties to the community as is possible, and
17 there's no question, Your Honor, that he will appear
18 at sentencing. And one last thing, and to fully
19 participate in the PSI.

20 THE COURT: Okay. The defendant,
21 Lonnie Spector, having been convicted by the jury of
22 attempted theft and attempted receiving stolen
23 property, which are both M1 offenses, I will deny
24 the Commonwealth's motion to revoke bail for
25 Mr. Lonnie Spector.

1 However, of Mr. Gregory Spector, in
2 view of his conviction of attempted theft -- excuse
3 me -- attempted murder, aggravated assault, both F1
4 felonies, which are 20-year maximum sentences, as
5 well as conspiracy, which is a felony, and the rest
6 of the counts being misdemeanors, and Mr. Gregory
7 Spector having been convicted by the jury of all
8 charges, including the most serious charges, I will
9 revoke bail for Mr. Gregory Spector. But I will not
10 revoke bail for Mr. Lonnie Spector.

11 THE COURT: PSI for both,
12 Commonwealth?

13 MS. HEARD: Yes, Your Honor.

14 THE COURT OFFICER: June 19, Judge.

15 THE COURT: Is that 8 weeks?

16 THE COURT OFFICER: Do you want me to
17 go an extra week?

18 THE COURT: Yes, if you can.

19 THE COURT OFFICER: How is the 26th
20 of June?

21 MS. HEARD: That's fine.

22 MR. FEINMAN: That's a good date.

23 MR. McGOVERN: That's good.

24 THE COURT: June 26, 2015 for
25 sentencing.

