

District Attorney Marc Bennett
18th Judicial District of Kansas



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WICHITA, KAN. – A Texas man who travelled the state of Kansas offering contracting services was sentenced in Sedgwick County District Court for felony theft.

Bartholomew Daley, 34 of Ft. Worth, pleaded guilty in July to defrauding three Wichita homeowners and a church out of more than \$14,000 for paving and painting services that were never completed. All Saints Catholic Church paid Daley a total of \$5,200 to re-pave its parking lot, however the work was not done.

As part of a plea agreement with the District Attorney, Daley deposited \$15,124 with the Clerk of the District Court to be used to pay court costs and reimburse victims. In return for his plea to felony theft and the up-front payment of restitution to the victims, the District Attorney dismissed additional counts. Wichita Police investigated the case.

On Wednesday, District Judge Jeffrey Goering sentenced Daley to an underlying prison sentence of eight months, the presumptive sentence under the Kansas sentencing guidelines, and granted him probation. Goering also ordered the reimbursement money be distributed to victims. Goering allowed Daley to live in Texas while on probation, but is prohibited from working as a contractor.

Daley, who sometimes listed his business as Pave-A-Lot, faces additional criminal charges related to his contracting activities in several Kansas counties. After sentencing on Wednesday, Daley was expected to be transported to Greenwood County where he is being held in jail on charges there. He is presumed innocent in the pending Greenwood County case.

Daley and two other men were sued in civil court in May by the Kansas Attorney General under the Kansas Consumer Protection Act. The Attorney General also seized a camper that Daley was using in south Wichita. The civil suit seeks \$112,000 in civil penalties, court costs, investigative fees and restitution for victims across the state.

“Allegations against the defendants included failing to complete promised work after receiving payment in full, failing to provide consumers with a three day right to cancel the transaction as required by law, not providing consumers with refunds due and making false representations about the work that would be done,” according to a press release from Attorney General Derek Schmidt.

Consumers who have been contacted by or done business with any of the individuals or companies identified above are encouraged to file a complaint with the attorney general's Consumer Protection Division at www.InYourCornerKansas.org or (800) 432-2310.

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