



Judgment of Conviction

Superior Court of New Jersey, OCEAN County

State of New Jersey

v.

Last Name

PALLADINO

First Name

MICHAEL

Middle Name

Also Known As

Date of Birth

12/27/1974

SBI Number

437035D

Date(s) of Offense

12/03/2018

Date of Arrest

PROMIS Number

18 004268-001

Date Ind / Acc / Complt Filed

03/06/2019

Original Plea

☐ Not Guilty

☒ Guilty

Date of Original Plea

03/06/2019

Adjudication By

☒ Guilty Plea

☐ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 03/06/2019

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-03-00342-A	1	POSS CDS/ANALOG - SCHD I II III IV	2C:35-10A(1)	3
W-2018-000031-1508	1	USE/POSS W/INTENT TO USE DRUG PARAPHERNALIA	2C:36-2	DP
W-2018-000031-1508	3	OFFICIAL MISCONDUCT-OFFICIAL FUNCTION-BENEFIT >\$200	2C:30-2A	2

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-03-00342-A	1	POSS CDS/ANALOG - SCHD I II III IV	2C:35-10A(1)	3

Sentencing Statement

It is, therefore, on 05/01/2019 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

Count 1: Defendant is sentenced to two (2) days in the Ocean County Jail, with credit for time served, and one (1) year of Probation.

Defendant is directed to comply with any and all terms and conditions as established by Probation, including but not limited to substance abuse evaluations, random urine screenings, recommendations for treatment, as well as maintain full time employment.

Defendant is hereby ordered to provide a DNA sample and pay the costs for testing.

Defendant is hereby ordered to forfeit his teaching license.

Defendant is to pay monetary penalties set forth herein on Page 2 of the within JOC through Probation.

Any bail that has been posted in this matter is discharged.

The following is dismissed: Counts 1 & 3

☐ It is further **ORDERED** that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term

000 Years 00 Months 002 Days

Institution Name

COUNTY JAIL

Total Probation Term

01 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)

A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)

☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))

	Standard	Doubled
1st Degree	@ \$	@ \$
2nd Degree	@ \$	@ \$
3rd Degree	1 @ \$ 1,000.00	@ \$
4th Degree	@ \$	@ \$
DP or	@ \$	@ \$
Petty DP	@ \$	@ \$

Total DEDR Penalty \$ 1,000.00

☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)

Forensic Laboratory Fee (N.J.S.A. 2C:35-20)

Total Lab Fee

1 Offenses @ \$ 50.00

\$ 50.00

VCCO Assessment (N.J.S.A. 2C:43-3.1)

Counts	Number	Amount
1	1 @	\$ 50.00
	@	\$
	@	\$
	@	\$

Total VCCO Assessment \$ 50.00

Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)

Offense

Mandatory Penalty

\$

Offense Based Penalties

Penalty

Amount

\$

Other Fees and Penalties

Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)

☒ \$ 30.00

Safe Neighborhoods Services Fund Assessment (N.J.S.A. 2C:43-3.2)

☒ 1 Offenses @ \$ 5.00

Total: \$ 75.00

Probation Supervision Fee (N.J.S.A. 2C:45-1d)

☒ \$ 2.00

Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)

☐ Offenses @ \$

Total \$

Transaction Fee (N.J.S.A. 2C:46-1.1)

☐

Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)

☐ \$

Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)

☐ \$

Fine

\$

Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)

☐ \$

Restitution

Joint & Several

Total Financial Obligation

\$

\$ 1,205.00

Details

Defendant is to pay monetary penalties through Probation at a rate set by Probation.

Additional Conditions

- ☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29).
- ☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4).
- ☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4).
- ☐ The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2).
- ☐ The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____
- ☐ The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8).
- ☐ The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1).
- ☐ The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).

Findings Per N.J.S.A. 2C:47-3

- ☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.
- ☐ The court finds that the defendant is amenable to sex offender treatment.
- ☐ The court finds that the defendant is willing to participate in sex offender treatment.

License Suspension

- ☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☒ Waived
- ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)
- ☐ Eluding (N.J.S.A. 2C:29-2)
- ☐ Other

Number of Months

☐ Non-resident driving privileges revoked

Start Date

End Date

Details

Driver's License Number

Jurisdiction

If the court is unable to collect the license, complete the following:
Defendant's Address

City

State

Zip

Date of Birth

Sex

☐ M ☐ F

Eye Color

[illegible]

AGGRAVATING FACTORS

MITIGATING FACTORS

10. The defendant is particularly likely to respond affirmatively to probationary treatment.

Attorney for Defendant at Sentencing CARMINE R VILLANI	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing HILLARY BRYCE	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Linda G. Baxter	
Judge (Signature) /s Linda G. Baxter RETIRED, ON RECALL	Date 05/16/2019

OCEAN COUNTY SUPERIOR COURT - LAW DIVISION

CRIMINAL INFORMATION FORM

NAME Palladino, Michael DATE 5/1/19
IND.# _____ ACC.# 19-03-00342 CASE# 18004268-001
WARRANT/COMPLAINT# _____ CJR/Eligible Def. _____
CHARGES _____

☐ B/W ISSUED FOR FTA and BAIL FORFEITED ☐ B/W ISSUED FOR FTA AND BAIL NOT FORFEITED ☐ B/W VACATED

VOP: GUILTY TO: CT 1 Possession of CDS / morphine 2nd Day ☐ TERMINATE PROBATION
P.O. 2C:36-10A(1)
SENTENCE: OCJ ☒ TERM 20 days SUSP _____ WKND _____ COMMENCING _____
DOC _____ TERM _____ PAROLE (INELIG) _____ AVENEL _____ YCIC _____

☐ C/C to _____ ☐ C/S to _____
CREDIT FOR TIME SERVED 2 Days GAP TIME _____ PRIOR SERVICE _____ ROSADO CREDIT _____

PROBATION 1 year
☒ SUB ABUSE EVAL ☒ URINE TESTING ☐ PSYCH EVAL PROGRAM _____
EMPLOYMENT - OBTAIN/MAINTAIN COMM SRVC HRS _____ FINE _____

☐ COMMUNITY SUPERVISION FOR LIFE ☐ PAROLE SUPERVISION FOR LIFE ☒ DNA ORDERED

RESTITUTION AMOUNT _____ PAYABLE TO: _____

V.C.C.B. 50.- DEDR PENALTY 1,000.- LAB FEE 50.- LEOTEF PENALTY 30.-

S.N.S.F. 75.- SUP FEE/MO 2.- ☒ D.L. REVOKED Waived MV THEFT FINE _____

S.A.N.E. _____ ☐ SEX ASSAULT SURCHARGE OF \$100 DOMESTIC VIOLENCE SURCHARGE _____

PAYMENT RATE _____ PER _____ COMMENCING _____

☒ BAIL DISCHARGED ☐ ORDERED RELEASED ☐ REMAND OCEAN COUNTY JAIL

DISMISSED CT 1, CT 3

APPEAL RIGHTS FORM SIGNED Yes/No 20 DAYS TO APPEAL 45 DAYS TO APPEAL ☒

AGGRAVATING FACTORS: 9

MITIGATING FACTORS: 7, 10

JUDGE L. Baxter PROSECUTOR H. Byer

REPORTER CourtSmart DEFT'S ATTY C. Villani

NOTES: 2 Days CTs

Comply w/ Probation. Complete Any Re. Treatment

Deft must forfeit teaching license

CLERK'S NAME M. Brennan # 3132
(PLEASE PRINT FULL NAME)

WHITE - COURT

YELLOW - WARDEN

PINK - DEFENDANT

STATE OF NEW JERSEY

- v. -

**NOTICE OF APPEAL RIGHTS
AND TIME TO FILE A PETITION
FOR POST-CONVICTION RELIEF**

Michael Palladino
Defendant

I, Michael Palladino, hereby certify as follows:

1. I am the defendant in the above referenced case.
2. I am being represented in this sentencing by Carminc R. Villani and he/she has reviewed this Form with me.
3. **Appeal Rights.** I understand that:
 - (a) An appeal means having my case reviewed by a higher court,
 - (b) I have a right to appeal my conviction(s) and sentence(s),
 - (c) I have the right to be represented by counsel for that appeal,
 - (d) If I am unable to hire private counsel for my appeal, the Office of the Public Defender will represent me or arrange for my representation, and
 - (e) If I fail to file a notice of appeal with the Appellate Division within **45 days** of today's date, and unless I obtain a thirty-day extension of time on a showing of good cause and absence of prejudice, I will lose my right to appeal.
4. **Time Limits to File a Petition for Post-Conviction Relief.** I understand that I have **5 years** from today's date to file a petition for post-conviction relief, unless an exception to this general rule applies, as set forth in R. 3:22-12.
5. I am appearing before Judge Baxter, for sentencing today.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

DATED: 5/1/19

Michael Palladino
Defendant

I have reviewed this Form with defendant and I am satisfied that he/she has been fully advised of the rights it describes.

DATED: 5/1/19

[Signature]
Counsel for Defendant

(To Be Filled Out By Private Counsel Only)

If defendant decides to appeal and cannot afford to retain private counsel, I will direct him/her to contact the Criminal Division Manager's Office in the county of venue and complete an indigency application for appointment of the Office of the Public Defender within 45 days of today's date.

DATED: 5/1/19

[Signature]
Counsel for Defendant

For information on appellate representation by the Office of the Public Defender, please write to the Superior Court Criminal Case Management Office in the county where the conviction occurred:

(Complete in duplicate: one fully executed copy to be delivered to the court for the court jacket and one to be given to the defendant.)