

BRADLEY D. BILLHIMER
Ocean County Prosecutor

CASEY M. LONG
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

MICHAEL WEATHERSTONE
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027
www.OCPONJ.gov

June 25, 2026

J.B. Brisker

Via OPRA Machine: opra+request-91795-202926f3@requests.opramachine.com

Re: Open Public Records Act (OPRA) request
OCPO Case #07041235 – James D. Marcotte

Dear Sir/Madam:

This office is in receipt of your request for records under the New Jersey Open Public Records Act (OPRA) with regard to the above-referenced matter. Enclosed please find the Complaint Warrant, Affidavit in Support of Arrest, Arrest Report and Indictment, pursuant to your request. Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq.

If I can be of further assistance, please do not hesitate to contact me.

Yours very truly,

s/Dina R. Khajezadeh
Dina R. Khajezadeh
Assistant Prosecutor

DRK/dk
Enclosures

COMPLAINT - WARRANT

COMPLAINT NUMBER

1519

W

2007

000014

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

MANTOLOKING MUNICIPAL COURT

P.O. BOX 247

MANTOLOKING

NJ 08738

(732) 899-6604 COUNTY OF: OCEAN

of CHARGES

2

CO-DEFTS

POLICE CASE #:

070300288

COMPLAINANT NAME: DAVID ANDERSON

119 HOOPER AVE

TOMS RIVER

NJ 08754

THE STATE OF NEW JERSEY

VS.

JAMES D MARCOTTE

ADDRESS:

917 STUYVESANT DRIVE

LUMBERTON

NJ 08048

DEFENDANT INFORMATION

SEX: M EYE COLOR: HAZEL

DOB: [REDACTED] 1974

DRIVER'S LIC. #:

DL STATE: NJ

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 03-30-2007 in MANTOLOKING BORO, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT TO COMMIT AN ACT OF SEXUAL PENETRATION WITH AN INDIVIDUAL WHOM HE BELIEVED TO BE A THIRTEEN (13) YEAR OLD FEMALE, BY ARRIVING AT A PRE-DETERMINED LOCATION AT A PRE-DETERMINED TIME IN ORDER TO COMMIT AN ACT OF SEXUAL PENETRATION, DEFENDANT BEING AT LEAST FOUR YEARS OLDER THAN THE VICTIM.

WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT, VIA ELECTRONIC OR OTHER MEANS, TO LURE OR ENTICE A CHILD OR ONE WHOM HE REASONABLY BELIEVED TO BE A CHILD INTO A MOTOR VEHICLE, STRUCTURE OR ISOLATED AREA, OR TO MEET OR APPEAR AT ANY OTHER PLACE, WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD.

in violation of:

Original Charge

1) 2C:5-1A(1)

2C:14-2(C)(3)

2) 2C:13-6

3)

Amended Charge

OATH:

Subscribed and sworn to me this 30 day of MAR, yr 2007

Signed:

(Signature of Complaining Witness)

Signed:

(Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE

TIME

DATE OF ARREST 00-00-0000

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

☐ Probable cause IS NOT found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

☒ Probable cause IS found for the issuance of this complaint.

Signature and Title of Judicial Officer Issuing Warrant

Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Bail Amount Set: 50,000.00 / FULL by:

Hon BA Villano RCP

(if different from judicial officer that issued warrant)

☐ Domestic Violence - Confidential

☐ Related Traffic Tickets or Other Complaints

☐ Serious Personal Injury/ Death Involved

Special conditions of release:

☐ No phone, mail or other personal contact w/victim

☐ No possession firearms/weapons

☒ Other (specify):

No Internet Access

ORIGINAL

COMPLAINT - WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.
1519 COURT CODE	W PREFIX	2007 YEAR	000014 SEQUENCE NO.	

JAMES D MARCOTTE

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	☐ Bail Recog. Attached
Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Date Referred to County Prosecutor: _____
Date of First Appearance: _____			☐ Advised of Rights by _____	Defendant Desires Counsel: ☐ Yes ☐ No

Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:5-1A(1) 2C:14-2(C)(3)	2) 2C:13-6	3)
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____
Probation Term	Susp. Imp _____	Susp. Imp _____	Susp. Imp _____
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution Beneficiary: _____			

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:

* Finding Codes

- 1 - Guilty
- 2 - Not Guilty
- 3 - Dismissed - Other
- 4 - Guilty but Merged
- 5 - Dismissed-Rule
- 6 - Dismissed Lack of Prosecution
- 7 - Dismissed - Pros Motion/Vic Req
- 8 - Conditional Discharge
- D - Dismissed- Prosecutor Discretion
- M - Dismissed- Mediation
- P - Dismissed-Plea Agreement
- S - Disposed at Superior
- W - Dismissed-False ID

JUDGE'S SIGNATURE _____

DATE _____

ORIGINAL - Court Action

Page 2 of 7

NJ/CDR2 8/1/2005

COUNTY OF OCEAN
STATE OF NEW JERSEY

STATE OF NEW JERSEY
VS.
JAMES D. MARCOTTE

) AFFIDAVIT
) IN SUPPORT OF
) ARREST

STATE OF NEW JERSEY

COUNTY OF OCEAN

)
SS.
)

I, Detective David P. Anderson, Jr., of the Ocean County Sheriff's Department, currently assigned to the Ocean County Prosecutor's Office, Computer Crime Unit, being of full age and having been sworn to law upon our oath depose and says:

1. I am a Detective with the Ocean County Sheriff's Department, currently assigned to the Ocean County Prosecutor's Office, Computer Crime Unit.
2. In the course of my duties, I have had occasion to investigate the criminal offenses of Attempted Sexual Assault, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2(c)(3) and Luring, N.J.S.A. 2C:13-6.
3. I have probable cause to believe and do believe that James D. Marcotte committed the acts of Attempted Sexual Assault, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2(c)(3) and Luring, N.J.S.A. 2C:13-6.
- 4.
5. The basis of my probable cause is as follows:
 - a. On March 29, 2007, this suspect, utilizing the Yahoo screenname [REDACTED] contacted members of the organization known as Perverted-Justice, who were posing as a thirteen (13) year old female.
 - i. Perverted-Justice.com recruits volunteer contributors who pose as underage children in chatrooms. Posing from a variety of ages (standard ages are 10-15), these contributors simply go into chatrooms with fake online screen names and wait for predators to instigate conversation with them.
 - ii. Perverted-Justice has been working with the Ocean County Prosecutor's Office Computer Crime Unit in a joint 'sting' operation to target and arrest online sexual predators in and around the Ocean County area.
 - iii. Though Perverted-Justice is acting as the online undercover decoys, all cases brought to Ocean County have been reviewed and approved by the Ocean County Prosecutor's Office.
 - b. During the course of the initial online conversation, the suspect was advised the undercover was thirteen (13) years of age. The suspect identified himself as thirty-two (32) years of age. The suspect continued to chat with the undercover. On numerous occasions

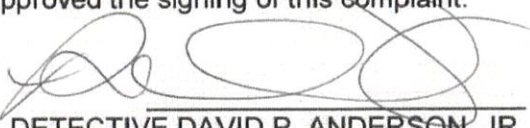
between March 29, 2007 and today, during the course of these online conversations, the suspect stated that he wished to meet the undercover for sex.

- c. On March 30, 2007, the suspect arrived at a predetermined meeting place. The suspect was arrested and identified as:

i. JAMES DAVID MARCOTTE, DOB [REDACTED] 1974, SS# [REDACTED]

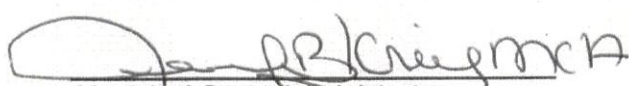
- d. The suspect was subsequently interviewed by Investigator Kenneth Hess of the Ocean County Prosecutor's Office and Detective Joseph Oliveri of the Brick Township Police Department. The interview was memorialized in the form of audio and video tape. The suspect was advised of his Miranda Rights and agreed to speak with the officers without an attorney present. The suspect acknowledged that he is the sole user of the screen name Yahoo screenname [REDACTED] and that he was the individual responsible for the chats with the undercover. Additionally, the suspect stated that, if he had met a thirteen (13) year old female at the meet location, he would have engaged in a sexual act with that individual.

6. The suspect has made statements to implicate himself in this matter.
7. This arrest was not the result of a 9-1-1 call for help. Therefore, no 9-1-1 calls for help were preserved for evidence.
8. I am signing charges of the second degree or greater. Supervising Assistant Prosecutor Madelin Einbinder has approved the signing of this complaint.


DETECTIVE DAVID P. ANDERSON, JR.
Ocean County Sheriff's Department
OCPO, Computer Crime Unit

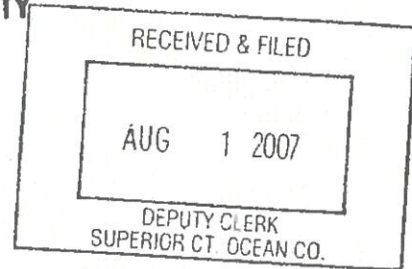
Sworn and Subscribed before me

this 30th day of March, 2007


Municipal Court Administrator

 OCEAN COUNTY PROSECUTOR'S OFFICE <i>Arrest Report</i>										FBI Identification Number 38955RC9	
										SBI Identification Number 784491D	
1. Department OCPO CCU		2. Mun. Code 1589		3. Phone Number (732) - 929 - 2027		4. UCR		5. Prosecutor's Case Number 070300288		6. Dept. Case Number	
7. Name (First) James		8. Name (Middle) D.		9. Name (Last) Marcotte		10. Phone No. (Area)		11. Alias/Nickname			
12. Address 917		13a. (Street) Stuyvesant Drive		14b. Municipality Lumberton		15c. State Nj		16d. Zip 08048		17. Place of Birth (City / State) Michigan	
18. Date of Birth 1974		19. Age 32		20. Sex Male		21. Race White		22. Ht 5' 10"		23. Wt 150	
24. Hair Brown		25. Eyes Hazel		26. Complexion Medium		27. Marital Status Single					
28. Other Description Information – Marks – Scars – Tattoos Left Forearm - Scar 3"										29. Driver's License Number	
30. Employee/School AFL						31. Occupation Printing Press Operator			32. Social Security Number		
33. Employer's / School Address Voorhees, NJ										34. Business Phone (Area) (Extension) () - ()	
DETAILS OF ARREST											
35. Arrest Date 3 / 30 / 2007		36. Time 445 ☐ AM ☒ PM		37. Loc. Of Arrest (No. – Street) 1021 Lyman Street		38a. Municipality Mantoloking		38b. State NJ		39. Muni. Code 1519	
40. Crime Attempted Sexual Assault / Luring				41A. Total Crimes 3		42. NJ Statute 2C:5-1A(1) / 2C:14-2(C)		43. Warrant/Summons Number W2007-000014-1519			
44. Complainant's Name and Address-Zip Code Detective David P. Anderson, Jr. - 119 Hooper Avenue, P.O. Box 2191, Toms River, NJ 08753										45. Phone Number (Area) (732) - 929 - 2027	
46. Crime Date 3 / 30 / 2007		47. Time ☐ AM ☐ PM		48. Loc. Of Arrest (No. – Street) 1021 Lyman Street		49a. Municipality Mantoloking		49b. State NJ		50. Muni. Code 1519	
51. Arrest ☒ On View ☐ Summons ☐ Warrant ☐ W/O Warrant		52. Juv. Code ☐ Juv. ☐ R.A.		53. Constitutional Rights ☒ Yes ☐ No		54. Constitutional Rights – by Inv. Kenneth Hess		55. How Responded Understood / Waived			
56. Own		57. Multiple		58. Other		59. Fingerprinted ☒ Yes ☐ No		60. Photographed ☒ Yes ☐ No		61. NCIC ☒ Yes ☐ No ☐ Wanted ☐ No Record	
62. Previous Record ☐ Yes ☐ No											
63. Vehicle Information ☒ Owned ☐ Used		64. Year 2000		65. Make Chevy		66. Body Type Blazer		67. Color Bronze		68. Reg. State and Number [REDACTED]	
69. Other Descriptive Information – VIN 1GNDT13WXY2167083											
BAIL HEARING											
70. Date 3 / 30 / 2007		71. Court Ocean County Superior Court						72. Judge Setting Bail Barbara A. Villano, JSC			
73. Amount of Bail \$50,000.00		74. Results of Hearing ☐ R.O.R. ☐ Committed in Default ☐ Committed W/O Bail ☐ Released on Bail						75. Code		76. Place Committed / Detained	
JUVENILE INFORMATION											
77. Parent / Guardian – Contacted By				78. Date Contacted / /		79. Time Contacted ☐ AM ☐ PM		80. Released w/Detained at			
81. Full Address – Number – Street – Municipality – State – Zip Code						82. Phone Number (Area) () - -		83. Date / /		84. Time ☐ AM ☐ PM	
85. Parent / Guardian's Name (First) (Middle) (Last)				86. Full Address – Number – Street – Municipality – state – Zip Code				87. Phone No. () - -			
88. Co-Defendants / Names /											
NARRATIVE											
89. Narrative / Additional Charges Suspect was arrested as a result of an online operation where he travelled to Ocean County in anticipation of meeting a thirteen year old female for the purpose of engaging in an act of sexual penetration.											
90. Rank / Name (Print or Type) Detective David P. Anderson, Jr.				91. Badge No. 108		92. Status ☒ Pending ☐ Completed		93. Date of Report 3 / 30 / 2007		94. Reviewed By	

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY**



THE STATE OF NEW JERSEY

VS.

JAMES D. MARCOTTE

Defendant :

INDICTMENT

NO. 07-08-1248

**COUNT ONE – SECOND DEGREE
ATTEMPTED SEXUAL ASSAULT**

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that JAMES D. MARCOTTE, between the dates of March 29 – March 30, 2007, in the Borough of Mantoloking, in the County of Ocean, and within the jurisdiction of this Court, knowingly did attempt to commit an act of sexual penetration upon an individual whom he believed to be at least 13 but less than 16 years old, and JAMES D. MARCOTTE was at least 4 years older than said individual, to wit: after chatting with an individual online over the Internet who he believed to be at least 13 but less than 16 years old, did arrive at a pre-determined location at a pre-determined time in order to commit an act of sexual penetration upon that individual, contrary to the provisions of N.J.S.A. 2C:14-2c(4) and N.J.S.A. 2C:5-1, and against the peace of this State, the Government and dignity of the same.

**COUNT TWO – SECOND DEGREE
LURING, ENTICING CHILD BY VARIOUS MEANS**

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that JAMES D. MARCOTTE, between the dates of March 29 – March 30, 2007, in the Borough of

Mantoloking, in the County of Ocean, and within the jurisdiction of this Court, did attempt, via electronic or any other means, to lure or entice a child or one who he reasonably believed to be a child into a motor vehicle, structure or isolated area, or to meet or appear at any other place, with a purpose to commit a criminal offense with or against the child, to wit: did arrive at a pre-determined location at a pre-determined time with the purpose to commit an act of sexual penetration upon an individual whom he believed to be a child at least 13 but less than 16 years old, contrary to the provisions of N.J.S.A. 2C:13-6, and against the peace of this State, the Government and dignity of the same.

MARLENE LYNCH FORD
OCEAN COUNTY PROSECUTOR

DATED: 8/1/07 By: Madelin F. Einbinder
MADELIN F. EINBINDER

ENDORSED: 
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE
VS.
JAMES D. MARCOTTE

INDICTMENT NO.

07-08-1248

INDICTMENT FOR
ATTEMPTED SEXUAL ASSAULT, LURING-ENTICING CHILD BY VARIOUS MEANS

MARLENE LYNCH FORD
Ocean County Prosecutor

A TRUE BILL


Foreperson

Filed

Arraigned

Plea

Bail

Trial Day

Verdict

Sentence

Case: 07-04-1235
Court Reporter:
Gail Coulter

\$50,000 w/10% posted
3/3/07