



Change of Judgment of Conviction & Order for Commitment CUSTODY OF THE EXEC. DIR. OF THE JJC UNTIL AGE 21 Superior Court of New Jersey, MONMOUTH County

State of New Jersey**v.**Last Name
KOLOGIFirst Name
SCOTTMiddle Name
A

Also Known As

Date of Birth
09/01/2001SBI Number
814623GDate(s) of Offense
12/31/2017

Date of Arrest

PROMIS Number
19 004640-001Date Ind / Acc / Complt Filed
01/08/2020

Original Plea

☒ Not Guilty☐ GuiltyDate of Original Plea
01/27/2020

Adjudication By

☐ Guilty Plea☒ Jury Trial Verdict☐ Non-Jury Trial Verdict☐ Dismissed / Acquitted

Date: 02/24/2022

☐ Sealed (N.J.S.A. 2C:52-5.2)**Original Charges**

Ind / Acc / Complt	Count	Description	Statute	Degree
20-01-00067-I	1	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	2	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	3	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	4	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	5	POSS OF WEAPON FOR UNLAWFUL PURPOSE-FIREARM-ANYONE	2C:39-4A(1)	2

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
20-01-00067-I	1	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	2	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	3	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	4	MURDER - PURPOSELY	2C:11-3A(1)	1
20-01-00067-I	5	POSS OF WEAPON FOR UNLAWFUL PURPOSE-FIREARM-ANYONE	2C:39-4A(1)	2

Sentencing Statement

It is, therefore, on 06/30/2022 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
 COUNT 1: THE DEFENDANT IS COMMITTED TO THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE JUVENILE JUSTICE COMMISSION (JJC) FOR A TERM OF FIFTY (50) YEARS TO BE SERVED IN A STATE JUVENILE FACILITY OPERATED BY THE JUVENILE JUSTICE COMMISSION UNTIL THE JUVENILE REACHES THE AGE OF 21. PURSUANT TO NERA, THE DEFENDANT MUST SERVE 85% OF THE MAXIMUM TERM BEFORE BEING ELIGIBLE FOR PAROLE AND FIVE (5) YEARS OF PAROLE SUPERVISION. SENTENCE IS ALSO PURSUANT TO THE GRAVES ACT.

COUNT 2: THE DEFENDANT IS COMMITTED TO THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE JUVENILE JUSTICE COMMISSION (JJC) FOR A TERM OF FIFTY (50) YEARS TO BE SERVED IN A STATE JUVENILE FACILITY OPERATED BY THE JUVENILE JUSTICE COMMISSION UNTIL THE JUVENILE REACHES THE AGE OF 21. PURSUANT TO NERA, THE DEFENDANT MUST SERVE 85% OF THE MAXIMUM TERM BEFORE BEING ELIGIBLE FOR PAROLE AND FIVE (5) YEARS OF PAROLE SUPERVISION. SENTENCE IS ALSO PURSUANT TO THE GRAVES ACT.
 COUNT 2 IS CONCURRENT TO COUNT 1.

COUNT 3: THE DEFENDANT IS COMMITTED TO THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE JUVENILE JUSTICE COMMISSION (JJC) FOR A TERM OF FIFTY (50) YEARS TO BE SERVED IN A STATE JUVENILE FACILITY OPERATED BY THE JUVENILE JUSTICE COMMISSION UNTIL THE JUVENILE REACHES THE AGE OF 21. PURSUANT TO NERA, THE DEFENDANT MUST SERVE 85% OF THE MAXIMUM TERM BEFORE BEING ELIGIBLE FOR PAROLE AND FIVE (5) YEARS OF PAROLE SUPERVISION. SENTENCE IS ALSO PURSUANT TO THE GRAVES ACT.
 COUNT 3 IS CONSECUTIVE TO COUNTS 1 AND 2.
 (Cont...)

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

Total Custodial Term
150 Years 00 Months 000 DaysInstitution Name
JUVENILE FACILITYTotal Probation Term
00 Years 00 Months

State of New Jersey v.
KOLOGI, SCOTT A

S.B.I. # 8146236 Ind / Acc / Compl # 20-01-00067-I

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																			
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)) <table style="width:100%;"> <tr> <th style="width:30%;"></th> <th style="width:30%; text-align: center;">Standard</th> <th style="width:30%; text-align: center;">Doubled</th> </tr> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> </table> Total DEDR Penalty \$ _____ ☐ 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)			Standard	Doubled	1st Degree	_____ @ \$	_____ @ \$	2nd Degree	_____ @ \$	_____ @ \$	3rd Degree	_____ @ \$	_____ @ \$	4th Degree	_____ @ \$	_____ @ \$	DP or Petty DP	_____ @ \$	_____ @ \$	☒ 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 <u>15</u> 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)).	
	Standard	Doubled																			
1st Degree	_____ @ \$	_____ @ \$																			
2nd Degree	_____ @ \$	_____ @ \$																			
3rd Degree	_____ @ \$	_____ @ \$																			
4th Degree	_____ @ \$	_____ @ \$																			
DP or Petty DP	_____ @ \$	_____ @ \$																			
Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____ Total Lab Fee _____ Offenses @ \$ _____ \$ _____																					
VCCO Assessment (N.J.S.A. 2C:43-3.1)																					
Counts	Number	Amount																			
1	1 @	\$ 100.00																			
2	1 @	\$ 100.00																			
3	1 @	\$ 100.00																			
4	1 @	\$ 100.00																			
Total VCCO Assessment \$ 400.00																					
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) ☒ 4 Offenses @ \$ 75.00 Total: \$ 300.00																			
Probation Supervision Fee (N.J.S.A. 2C:45-1d) ☐ \$ _____		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 \$ 24,159.38 ☐		Total Financial Obligation \$ 24,889.38																			
☐ Entry of Civil Judgment for court-ordered financial assessment (N.J.S.A. 2C:52-5.2)																					
Details RESTITUTION PAYABLE AS FOLLOWS: (Cont. . .)																					
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																			

Time Credits

Time Spent in Custody <i>R. 3:21-8</i> Date: From - To 01/01/2018 - 06/29/2022 - - - - - - - - - Total Number of Days <u>1641</u>	Gap Time Spent in Custody <i>N.J.S.A. 2C:44-5b(2)</i> Date: From - To - - - Total Number of Days _____	Prior Service Credit Date: From - To - - - - - - - - Total Number of Days _____
	Rosado Time Date: From - To - - - Total Number of Days _____	

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

1. The nature and circumstances of the offense, and the role of the actor therein, including whether or not it was committed in an especially heinous, cruel, or depraved manner.
3. The risk that the defendant will commit another offense.
9. The need for deterring the defendant and others from violating the law.
12. The defendant committed the offense against a person who he/she knew or should have known was 60 years of age or older, or disabled.

MITIGATING FACTORS

4. There were substantial grounds tending to excuse or justify the defendant's conduct, though failing to establish a defense.
7. The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense.
12. The willingness of the defendant to cooperate with law enforcement authorities.
14. The defendant was under 26 years of age at the time of the commission of the offense.

THE DEFENDANT APPEARED FOR SENTENCING AND THE COURT FOUND THE ABOVE AGGRAVATING AND MITIGATING FACTORS.

AGGRAVATING FACTORS OUTWEIGH MITIGATING FACTORS.

THIS WAS AN AGREEMENT BETWEEN THE PROSECUTOR AND THE DEFENDANT. THE PLEA APPEARS FAIR AND IN THE INTEREST OF JUSTICE. THE COURT WILL IMPOSE THE RECOMMENDED SENTENCE.

Attorney for Defendant at Sentencing EMEKA NKWUO	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing CAITLIN SIDLEY	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Marc C Lemieux	
Judge (Signature) /s/ Marc C Lemieux	Date 07/14/2022

State of New Jersey v.
KOLOGI, SCOTT A

S.B.I. #814623G Ind / Acc / Compl # 20-01-00067-I

Continuation

SENTENCING STATEMENT (Cont.)

COUNT 4: THE DEFENDANT IS COMMITTED TO THE CUSTODY OF THE EXECUTIVE DIRECTOR OF THE JUVENILE JUSTICE COMMISSION (JJC) FOR A TERM OF FIFTY (50) YEARS TO BE SERVED IN A STATE JUVENILE FACILITY OPERATED BY THE JUVENILE JUSTICE COMMISSION UNTIL THE JUVENILE REACHES THE AGE OF 21. PURSUANT TO NERA, THE DEFENDANT MUST SERVE 85% OF THE MAXIMUM TERM BEFORE BEING ELIGIBLE FOR PAROLE AND FIVE (5) YEARS OF PAROLE SUPERVISION. SENTENCE IS ALSO PURSUANT TO THE GRAVES ACT.
COUNT 4 IS CONSECUTIVE TO COUNTS 3 AND 1, AND CONCURRENT TO COUNT 2.

COUNT 5: MERGES INTO COUNT 1, COUNT 2, COUNT 3 AND COUNT 4.

THE DEFENDANT IS SENTENCED TO FINES AND PENALTIES TO BE COLLECTED THROUGH THE DEPARTMENT OF CORRECTIONS.

7/13/22: AMENDED TO REFLECT DEFENDANT COMMITTED TO CUSTODY OF THE EXECUTIVE DIRECTOR OF THE JUVENILE JUSTICE COMMISSION (JJC) UNTIL THE JUVENILE REACHES THE AGE OF 21.

OTHER FEES AND PENALTIES DETAILS (Cont.)

VCCO CLAIM #98515 = \$16,199.38

VCCO CLAIM #98563 = \$7,960.00