

BRADLEY D. BILLHIMER
Ocean County Prosecutor

JOSEPH F. MITCHELL
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

January 19, 2021

Via OPRA Machine: opra+request-19671-b56f4803@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 19002213
State v. Thomas Hatchett

Dear Sir/Madam:

Enclosed please find the Complaint Warrant, Affidavit, Preliminary Law Enforcement Investigation Report, Indictment, Plea Form and Supplemental Plea Form pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1-1, et seq.

Please be advised that there are no responsive documents pursuant to your request for arrest reports, global subject activity reports, criminal information forms and sentencing information.

If I can be of further assistance, please contact me at 732-929-2027, x3135.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

Prestia , Donna

From: Khajezadeh, Dina
Sent: Saturday, January 16, 2021 9:12 AM
To: Prestia , Donna
Subject: FW: OPRA request - Case reports

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Resident <opra+request-19671-b56f4803@requests.opramachine.com>
Date: 1/16/21 12:41 AM (GMT-05:00)
To: "Khajezadeh, Dina" <DKhajezadeh@co.ocean.nj.us>
Subject: OPRA request - Case reports

Dear Ocean County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Any relevant arrest reports, global subject activity reports, preliminary law enforcement incident reports, complaint warrants, complaint summonses, affidavits, indictments, criminal information forms, plea forms, and sentencing information, where applicable, for the following defendants:

Thomas Hatchett (sentenced 1/12/21). 19002213 - no JOC
Alonzo Legrande (sentenced 1/15/21). 20000823 - no JOC

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-19671-b56f4803@requests.opramachine.com

Is DKhajezadeh@co.ocean.nj.us the wrong address for OPRA requests to Ocean County Prosecutor's Office? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E,1,dH2z2Dfr593gCGRCNYOngdYVZ3bowokmNm9STXD5JJKIjscL2tQaYDjJTwwqjrLArQmKuVcBBNViifQT9UMIYWdVf0XRYgmsl73MQVWRI7OwJe_KGOyww.,&typo=1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:
https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,PNLltklpCctkZCcMbSIYdLbw8CpZvPHI7zLN8730a7i62rZJp1BYybIEHuTMbxzhjuplQE4o1wsth-pv7ff9Fh23eEG3-8s1Ct9rBqNX_1g.&typo=1

View this OPRA request & responses online:

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1518	W	2019	000358
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
MANCHESTER TWP MUNICIPAL COURT 1 COLONIAL DRIVE MANCHESTER NJ 08759-0000 732-657-8121 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: M19-15333	
COMPLAINANT NAME: ADAM GUKER ONE COLONIAL DRIVE ATTN WARRANTS MANCHESTER NJ 08759		DEFENDANT INFORMATION SEX: M EYE COLOR: B DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVESCAN PCN #: 1518020	

THE STA

THO

ADDRESS: 63D CAMBRI

MANCHESTER

By certification or on oath, the complainant says that to the best of his/her knowledge defendant on or about 07/01/2019 in MANCHESTER TWP WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR DEATH OF OR PURPOSELY OR KNOWINGLY CAUSE SERIOUS BODILY DEATH OF MR. IGAL HEDAD, SPECIFICALLY BY UTILIZING A T TO SHOOT AND KILL MR. IGAL HEDAD.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY DID PO Taurus .38 SPECIAL WITH THE PURPOSE TO USE IT UNLAWFULLY MR. IGAL HEDAD.

in violation of:

Original Charge	1) 2C:11-3A(1)	2) 2C:39-4A(1)
Amended Charge		

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

Signed: ADAM GUKER

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court at the following address: OCEAN SUPERIOR COURT

100 HOOPER AVE

Date of Arrest: 07/01/2019 Appearance Date:

Time:

PROBABLE CAUSE DETERMINATION AND ISSUANCE

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

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of

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

Signature and Title of J

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER

Bail Amount Set: by: (if different from judicial officer)

☐ Domestic Violence - Confidential

☐ Related Traffic Tickets or Other Complaints

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
- ☐ No possession firearms/weapons
- ☐ Other (specify):

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1518**W****2019****000358**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**THOMAS C HATCHETT****FTA Bail Information**

Date Bail Set: _____

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(v)

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed: _____

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:**

State

County

Municipal

Other

Name:

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:11-3A(1)**2) **2C:39-4A(1)**

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:**Related Traffic Tickets and Complaints:***** 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

COMPLAINT - WARRANT (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1518	W	2019	000358
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
MANCHESTER TWP MUNICIPAL COURT 1 COLONIAL DRIVE MANCHESTER NJ 08759-0000 732-657-8121 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: M19-15333	
COMPLAINANT NAME: ADAM GUKER		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 10/02/1932 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 148188H TELEPHONE #: [REDACTED] (c) LIVSCAN PCN #: 151802001639	
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 07/01/2019 in MANCHESTER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY CAUSING THE DEATH OF OR PURPOSELY OR KNOWINGLY CAUSE SERIOUS BODILY INJURY RESULTING IN THE DEATH OF MR. IGAL HEDAD, SPECIFICALLY BY UTILIZING A TAURUS .38 SPECIAL FIREARM TO SHOOT AND KILL MR. IGAL HEDAD.			
WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY DID POSSESS A FIREARM THAT IS A TAURUS .38 SPECIAL WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST THE PERSON OF MR. IGAL HEDAD.			
in violation of:			
Original Charge	1) 2C:11-3A(1)		2) 2C:39-4A(1)
Amended Charge	3)		
CERTIFICATION: 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 Signed: ADAM GUKER Date: 07/01/2019			
You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of OCEAN at the following address: OCEAN SUPERIOR COURT 100 HOOPER AVE TOMS RIVER NJ 08753-0000 Date of Arrest: 07/01/2019 Appearance Date: Time: Phone: 732-244-2121			
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. TRACY BARCUS JUDICIAL OFFICER 07/01/2019 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: by: (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):		COMPLAINT - WARRANT (DEFENDANT'S COPY)	
		Page 3 of 7 NJ/CDR2 1/1/2017	

COMMITMENT

COMPLAINT NUMBER

1518**W****2019****000358**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

MANCHESTER TWP MUNICIPAL COURT
1 COLONIAL DRIVE
MANCHESTER NJ 08759-0000
732-657-8121 COUNTY OF: OCEAN

of CHARGES
2

CO-DEFTS

POLICE CASE #:
M19-15333

COMPLAINANT ADAM GUKER
NAME: ONE COLONIAL DRIVE
ATTN WARRANTS
MANCHESTER NJ 08759

*THE STATE OF NEW JERSEY**VS.***THOMAS C HATCHETT**

ADDRESS:
63D CAMBRIDGE CIRCLE

MANCHESTER**NJ 08759-0000**

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN DOB: 10/02/1932
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: 148188H
TELEPHONE #: [REDACTED] (C)
LIVESCAN PCN #: 151802001639

To any Law Enforcement Official of New Jersey, You are commanded to transport this defendant to the Warden of this county who is required to keep the defendant in custody until a release or detention decision is made.

Offense

Aux Offense

Drug Code

Degree

Offense Description

1.	2C:11-3A(1)			1	MURDER - PURPOS
2.	2C:39-4A(1)			2	POSS OF WEAPON
3.					
4.					

Commitment Reason: Criminal Justice Reform

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court
at the following address: OCEAN SUPERIOR COURT
100 HOOPER AVE

in the county of **OCEAN**

TOMS RIVER

NJ 08753-0000

Date of Arrest: 07/01/2019

Phone: 732-244-2121

TRACY BARCUS JUDICIAL OFFICER**07/01/2019**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1518**W****2019****000358**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

MANCHESTER TWP MUNICIPAL COURT
1 COLONIAL DRIVE
MANCHESTER NJ 08759-0000
732-657-8121 COUNTY OF: OCEAN

of CHARGES 2 CO-DEFTS POLICE CASE #:
M19-15333

COMPLAINANT ADAM GUKER
NAME: ONE COLONIAL DRIVE
ATTN WARRANTS
MANCHESTER NJ 08759

*THE STATE OF NEW JERSEY**VS.***THOMAS C HATCHETT**

ADDRESS:
63D CAMBRIDGE CIRCLE

MANCHESTER NJ 08759-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN DOB: 10/02/1932
DRIVER'S LIC. #. [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: 148188H
TELEPHONE #: [REDACTED] (C)
LIVESCAN PCN #: 151802001639

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

On July 1, 2019 at approximately 0950 hours, members of the Manchester Township Police Department Patrol Division responded to 63D Cambridge Circle, Manchester NJ 08759 for a report of a male lying face down in the roadway covered in blood. Upon arrival, patrol officers observed that the victim, later identified as Mr. Igal Hedad, was deceased from what appeared to be multiple gunshot wounds. The area was subsequently secured by the Manchester Township Police Department. A telephonic search warrant was obtained for the residence. The tenant was identified by the Leisure Village West Community Manager. The tenant of 63D Cambridge Circle was identified as Mr. Thomas Hatchett. At approximately 1254 hours, The Ocean County Regional S.W.A.T. Team made entry into the residence and cleared the residence. No individuals were located inside the residence, however a handgun was observed on the dining room table by members of the Ocean County Regional S.W.A.T. Team. At that time it was determined that Mr. Hatchett had one vehicle registered to him and that vehicle was not on scene. Mr. Hatchett was subsequently located in Verona Park by the members of the Verona Police Department. He was taken into custody by the Verona Police Department. Det. Mitchell and this affiant responded to Verona Police Headquarters where an audio and video recorded statement was conducted. Mr. Hatchett was advised of his Miranda Rights which he subsequently waived. He provided this affiant and Det. Mitchell a statement in which he admitted to shooting Mr. Hedad. Mr. Hatchett advised this affiant and Det. Mitchell that he retrieved his firearm from a safe and loaded the firearm on the morning of July 1, 2019 prior to Mr. Hedad's arrival in anticipation of shooting Mr. Hedad when he arrived. Mr. Hatchett stated that after Mr. Hedad arrived he retrieved his firearm and shot the victim multiple times. See statement for further details.

Affidavit of Probable Cause**Page 5 of 7**

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1518

W

2019

000358

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

THOMAS C HATCHETT

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

Defendant's admission.

3. If victim was injured, provide the extent of the injury:

Death

Certification:

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.

Signed: ADAM GUKER LAW ENFORCEMENT OFFICER

Date: 07/01/2019

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. THOMAS C HATCHETT ADDRESS: 63D CAMBRIDGE CIRCLE MANCHESTER NJ 08759-0000	
1518	W	2019	000358		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
MANCHESTER TWP MUNICIPAL COURT 1 COLONIAL DRIVE MANCHESTER NJ 08759-0000 732-657-8121 COUNTY OF: OCEAN					
# of CHARGES 2	CO-DEFTS	POLICE CASE #: M19-15333		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 10/02/1932 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 148188H TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 151802001639	
COMPLAINANT NAME: ADAM GUKER ONE COLONIAL DRIVE ATTN WARRANTS MANCHESTER NJ 08759					

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The defendant made statements/admissions.
 - It was recorded using:
 - *Dash Camera/MVR/DIVR
 - *Body-Worn Camera
 - *Stationhouse interview room camera
- The defendant was known to the victim as:
 - Other/Explain Landlord/tenant
- A weapon was involved in the incident:
 - Handgun
- Physical evidence was seized/recovered:
 - Weapon(s)
- A member of the public provided information to a 9-1-1 call center or dispatcher (or similar).
- The police received relevant information via radio from a 911 dispatcher (or similar).
- The case involves a search warrant(s).
- The investigation involved the seizure of one or more cellphones, computers or similar electronic devices.
 List the type of device(s) and total number of each recovered: **2 cell phones**

Certification:

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.

Signed: ADAM GUKER LAW ENFORCEMENT OFFICER Date: 07/01/2019

Preliminary Law Enforcement Incident Report

Page 7 of 7

7/20/2018

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

THOMAS C. HATCHETT :

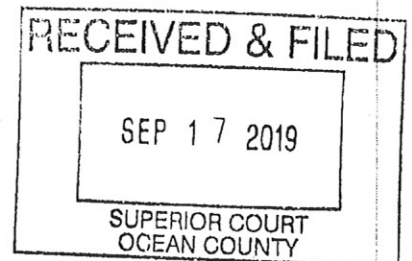
Defendant :

INDICTMENT

NO. 19-09-1459

COUNT ONE

MURDER - FIRST DEGREE



The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that THOMAS C. HATCHETT, on or about July 1, 2019, in the Township of Manchester, County of Ocean, and within the jurisdiction of this Court, did purposely or knowingly cause the death of Igal Hedad or purposely or knowingly caused serious bodily injury resulting in the death of Igal Hedad, contrary to the provisions of N.J.S.A. 2C:11-3a, and against the peace of this State, the Government and dignity of the same.

COUNT TWO

POSSESSION OF A FIREARM FOR AN UNLAWFUL PURPOSE-SECOND DEGREE

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that THOMAS C. HATCHETT, on or about July 1, 2019, in the Township of Manchester, County of Ocean, and within the jurisdiction of this Court, did possess a certain weapon, specifically, a .38 caliber revolver, with the purpose to use it unlawfully

against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4a(1),
and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

DATED: 9-17-2019

BY: Meghan O'Neill
MEGHAN O'NEILL
ASSISTANT PROSECUTOR

ENDORSED: Carl Kiest
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

THOMAS C. HATCHETT

INDICTMENT NO.

19-07-1459

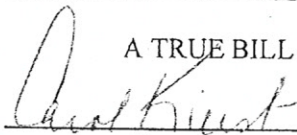
INDICTMENT FOR

MURDER

POSSESSION OF A FIREARM FOR AN UNLAWFUL PURPOSE

BRADLEY D. BILLHIMER
Ocean County Prosecutor

A TRUE BILL



Foreperson

Bail Eligible defendant under
Bail Reform - Detained

Condition Of Bail



New Jersey Judiciary
Plea Form

County Ocean
Prosecutor File Number 19002213

Defendant's Name: Thomas Hatchett
before Judge: Collins

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
				Time	Fine		
<u>19-09-1459</u>	<u>1</u>	<u>Murder amended to</u>		Max			
		<u>Aggravated Manslaughter</u>	<u>1</u>	Max	<u>30</u>	<u>200,000</u>	<u>100</u>
		<u>2C:11-4 (1)</u>		Max			
				Max			
				Max			
Your total exposure as the result of this plea is:				Total	<u>30</u>	<u>200,000</u>	<u>100</u>

Please Circle
Appropriate
Answer

2. a. Did you commit the offense(s) to which you are pleading guilty? ☒ [Yes] ☐ [No]
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☒ [Yes] ☐ [No]
3. Do you understand what the charges mean? ☒ [Yes] ☐ [No]
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☒ [Yes] ☐ [No]
- b. The right to remain silent? ☒ [Yes] ☐ [No]
- c. The right to confront the witnesses against you? ☒ [Yes] ☐ [No]
- d. Do you understand that by pleading you are not waiving your right to appeal (1) the denial of a motion to suppress physical evidence (R. 3:5-7(d)) or (2) the denial of acceptance into a pretrial intervention program (PTI) (R. 3:28(g))? ☒ [Yes] ☐ [No]
- e. Do you further understand that by pleading guilty you are waiving your right to appeal the denial of all other pretrial motions except the following: ☒ [Yes] ☐ [No]
- _____
- _____
- _____

* Victims of Crime Compensation Office Assessment

5. Do you understand that if you plead guilty:

- a. You will have a criminal record? ☒ [Yes] ☐ [No]
- b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Victims of Crime Compensation Agency Assessment? ☒ [Yes] ☐ [No]
- c. You must pay a minimum Victims of Crime Compensation Agency assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.) ☒ [Yes] ☐ [No]
- d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made? ☒ [Yes] ☐ [No]
- e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction? ☒ [Yes] ☐ [No]
- f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation? ☒ [Yes] ☐ [No]
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30? ☒ [Yes] ☐ [No]
- h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing? ☒ [Yes] ☐ [No]
- i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). If the crime involves a violation of N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography, N.J.S.A. 2C:34-3 (selling, distributing or exhibiting obscene material to a person under age 18) or an offense involving computer criminal activity in violation of any provision of Title 2C, chapter 20, you will be assessed a mandatory penalty as listed below for each offense for which you pled guilty?
- (1) \$2,000 in the case of a 1st degree crime
 - (2) \$1,000 in the case of a 2nd degree crime
 - (3) \$ 750 in the case of a 3rd degree crime
 - (4) \$ 500 in the case of a 4th degree crime
 - (5) \$ 250 in the case of a disorderly persons or petty disorderly persons offense

Total CCPF Penalty \$ _____

T.H.

6. Do you understand that the court could, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? ☒ [Yes] ☐ [No]

7. Did you enter a plea of guilty to any charges that require a mandatory period of parole ineligibility or a mandatory extended term? ☒ [Yes] ☐ [No]

a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is ____ years and ____ months (fill in the number of years/months) and the maximum period of parole ineligibility can be ____ years and ____ months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits. 85% of 30 years

b. If you are pleading guilty to such a charge, the minimum mandatory extended term is ____ years and ____ months (fill in the number of years/months) and the maximum mandatory extended term can be ____ years and ____ months (fill in the number of years/months).

8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? ☒ [Yes] ☐ [No]

9. Are you presently on probation or parole? ☐ [Yes] ☒ [No]
a. Do you realize that a guilty plea may result in a violation of your probation or parole? ☐ [Yes] ☒ [No] ☐ [NA]

10. Are you presently serving a custodial sentence on another charge? ☐ [Yes] ☒ [No]
a. Do you understand that a guilty plea may affect your parole eligibility? ☐ [Yes] ☒ [No] ☐ [NA]

11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? ☐ [Yes] ☒ [No] ☐ [NA]

12. List any charges the prosecutor has agreed to recommend for dismissal:

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
19-09-1459	2	Poss of Wpm Int. Purpose 20

13. Specify any sentence the prosecutor has agreed to recommend:

State will recommend an open-ended Aggravated Manslaughter. State will argue for the highest end of the sentence

14. Has the prosecutor promised that he or she will NOT:
- a. Speak at sentencing? [Yes] ☒ [No]
 - b. Seek an extended term of confinement? ☒ [Yes] [No]
 - c. Seek a stipulation of parole ineligibility? [Yes] ☒ [No]
15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution? ☒ [Yes] [No] [NA]
16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty? [Yes] [No] ☒ [NA]
17. a. Are you a citizen of the United States? ☒ [Yes] [No]
- If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18
- b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States? [Yes] [No]
 - c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status? [Yes] [No]
 - d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f. [Yes] [No]
 - e. Would you like the opportunity to do so? [Yes] [No]
 - f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty? [Yes] [No]
18. a. Do you understand that pursuant to the rules of the Interstate Compact for Adult Offender Supervision if you are residing outside the State of New Jersey at the time of sentencing that return to your residence may be delayed pending acceptance of the transfer of your supervision by your state of residence? [Yes] [No]
- b. Do you also understand that pursuant to the same Interstate Compact transfer of your supervision to another state may be denied or restricted by that state at any time after sentencing if that state determines you are required to register as a sex offender in that state or if New Jersey has required you to register as a sex offender? [Yes] [No]
19. Have you discussed with your attorney the legal doctrine of merger? [Yes] [No] ☒ [NA]

T. H.

20. Are you giving up your right at sentence to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence? [Yes] [No] ☒ [NA]

21. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

Defense will argue for the lowest end sentence for aggravated Manslaughter.

22. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty? [Yes] ☒ [No]

23. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? ☒ [Yes] [No]

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea? ☒ [Yes] [No]

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial? ☒ [Yes] [No]

24. Are you satisfied with the advice you have received from your lawyer? ☒ [Yes] [No]

25. Do you have any questions concerning this plea? [Yes] ☒ [No]

Date 10/23/2020 Defendant Thomas Helms

Defense Attorney Vita S Mennie

Prosecutor Maghan M. O'Neill

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.



New Jersey Judiciary
Supplemental Plea Form for No Early Release Act (NERA) Cases (N.J.S.A. 2C:43-7.2)

The following questions need to be answered only if you are pleading guilty to one of the following first or second degree crimes that occurred **on or after June 29, 2001**: murder, aggravated manslaughter or manslaughter, vehicular homicide, aggravated assault, disarming a law enforcement officer, kidnapping, aggravated sexual assault, sexual assault, robbery, carjacking, aggravated arson by placing another person in danger of death or serious bodily injury, burglary, theft by extortion by obtaining property of another by threatening to inflict bodily injury on, or physically confine or restrain anyone or commit another offense, booby traps in manufacturing or distributing of CDS facilities, or strict liability for drug induced deaths; or that occurred **on or after June 18, 2002**: terrorism, or producing or possessing chemical weapons, biological agents or nuclear or radiological devices; or that occurred **on or after January 13, 2008**: first degree racketeering; or that occurred **on or after August 14, 2013**: child pornography; or that occurred **on or after November 1, 2013**: firearms trafficking.

1. Do you understand that because of your plea of guilty to

☒ [Yes]

☐ [No]

Aggravated Manslaughter
 (List First or Second Degree Violent Crime(s) to Which NERA Applies)

you will be required to serve 85% of the sentence imposed for that offense(s)
 before you will be eligible for parole on that offense(s)?

2. Do you understand that because you have pled guilty to these charges the court must impose a 5 year term of parole supervision and that term will begin as soon as you complete the sentence of incarceration?

☒ [Yes]

☐ [No]

First Degree Term of Parole Supervision - 5 years
 Second Degree Term of Parole Supervision - 3 years

3. Do you understand that if you violate the conditions of your parole supervision that your parole may be revoked and you may be subject to return to prison to serve all or any portion of the remaining period of parole supervision, even if you have completed serving the term of imprisonment previously imposed?

☒ [Yes]

☐ [No]

Date: 10/23/2020

Defendant: Thomas HAZZARD

Defense Attorney: Vita A Mennie

Prosecutor: Meghan M. O'Neil