

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

March 31, 2021

Via OPRA Machine: opra+request-21063-eda50d3c@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 2100552 – Roger Stewart

Dear Sir/Madam:

Enclosed please find the Arrest Report, Complaint Warrant, Affidavit and Preliminary Law Enforcement Incident Report 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 Global Subject Activity Report, Indictments, Plea Forms, Criminal Information Forms and Sentencing Information.

If I can be of further assistance, please do not hesitate to contact me directly at 732-929-2027, x3135.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

Sent from my Verizon, Samsung Galaxy smartphone

From: Resident <XXXXXXXXXXXXXXXXXXXX@XXXXXXXXXXXXXXXXXX>
Date: 3/13/21 2:28 PM (GMT-05:00)
To: "Khajezadeh, Dina" <XXXXXXXXXX@XX.XXXXX.XX.XX>
Subject: OPRA request - Case reports

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.

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:

Yours sincerely,

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
XXXXXXXXXXXXXXXXXXXXXXXXXXXX@XXXXXXXX.XXXXXXXXXX.XXX

https://linkprotect.cudasvc.com/url?u=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E.1j6HnTidnVfEo0vrcEvohIMZfYxahXf6VM4a9ANnEsfuW1qTx9fR22b8wwImQhSkj3f8th2nI2eYUbxkagWejoep9f7rDMIHG80JCL5pMR13BRhrbTXYw.&typo=1

https://linkproctect.cuday.com?url?c=https%3A%2F%2Fopramachine.com%2Fhelp%2Ftofficers&c=E.1.HdGzrMhYwVpKUlY8R4_wJSRMcgo0_mRnflbaPrbXyJSFIlozDeVrYbZGNwhbYFWOyomom5_OR0y7y1AsqBdJdl_uOB9FVUNr0o_mB4J6XbN3X4UWY&trpo=1

View this OPRA request & responses online: https://linkproctect.cuday.com?url?c=https%3A%2F%2Fopramachine.com%2Frequest%2Fcase_requests_16&c=E.1.FEBUT269FEQvKvHozMmp07SfU7Cf6LqLcPTQ4SAI0uq35UD36W2zDgddqXrDdIaEv2aC5nENBO0JouAWRTc_5ZpADN3XbGclP8_&trpo=1

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.



Jackson Police Department

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511

Arrest Report



Arrest Details:

Case Number	BEN Number	Arrest Date	Arrest Time	Place of Arrest
21-015669	2105167	02/26/21	16:44	62 Werko Place

Arrestee Information:

Name(Lastname, Firstname)		M I	Suffix	Alias_Nickname				
Stewart, Roger			p					
Address		DOB	Age	Sex	Race	SSN		
62 Werko Pl, Jackson, NJ 08527-4601			61	M	1B			
Place of Birth	DLN	Height	Weight	Hair	Eyes	Complexion	Mar. Status	
Germany		NJ 506"	180	GRY	BRO	Med	Wid	
Other Descriptive Info		Glasses	Build	Speech	Handed	Miranda	Prints	Photo
		Y	Medi	English	Right	Y	Y	Y
Occupation	Employer	Bus. Address						
	Self Employed							
SBI #	FBI #	Phone						
11007BSSN								

Complaint Information:

Charge(s)							
2C:39-4A(1) 2C:12-1B(4)							
Complainant Name(Lastname, Firstname) & Address							
316 PO Daniel Scharff 102 Jackson Drive Jackson NJ 08527							
Offense Date	Offense Time	Place of Offense	Mun. Code				
02/26/21	16:44	62 Werko Place	1511				
w/ Warrant	w/o Warrant	On View	Summons	Handcuffed The Arrestee	Checked car prior to placing in & after removing arrestee from the back seat		
X				Y	Y		
Vehicle	Yr	Make	Body Type	Color	Reg	State	VIN
Date	Court						
02/26/21	Jackson Township Municipal Court						
Amount Bail	10%	Bail Result	Place Committer				
		Comm. Def	Ocean County Jail				
Date	Court	Warrant / Summons Number					
02/26/21	Jackson Township Municipal Court	1511 W 2021 000067					

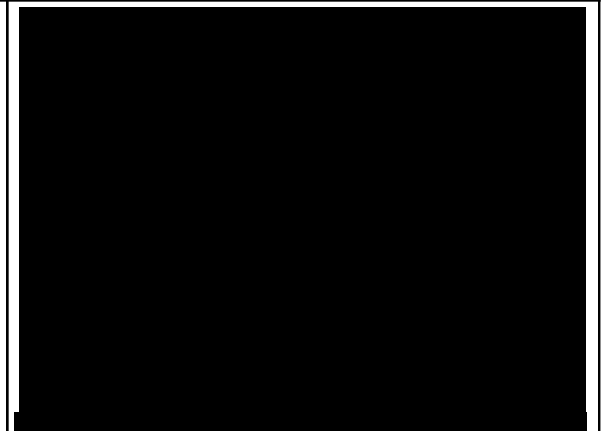
Narrative:

Arrested for:

2C:39-4A(1)
2C:12-1B(4)

CODIS not required.

Mugshot:



Officer of Record:

Date:

Reviewed By: Juvenile Released To:

Time:

Officer of Record	Reporting Date	Reviewed By	Parent or Responsible Party Signature	
316 PO Daniel Scharff	02/26/21	mkelly		

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1511	W	2021	000067
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
JACKSON TWP MUNICIPAL COURT 102 JACKSON DRIVE JACKSON NJ 08527-0000 732-928-1205 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-015669	
COMPLAINANT NAME: PO DAN SCHARFF 102 JACKSON DRIVE ATTN WARRANTS JACKSON NJ 08527		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/19/1959 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 11007B TELEPHONE #: [REDACTED] (C) LIVSCAN PCN #: 151102002555	

THE STATE OF NEW JERSEY

VS.
ROGER P STEWART

ADDRESS: **62 WERKO PLACE**
JACKSON NJ 08527-0000

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 **02/26/2021** in **JACKSON TWP**, **OCEAN** County, **NJ** did:
WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT DID POSSESS A FIREARM WITH A PURPOSE TO USE IT UNLAWFULLY AGAINST THE PERSON OR PROPERTY OF ANOTHER, SPECIFICALLY BY POINTING A LOADED 22 CALIBER RIFLE TOWARDS THE VICTIM, IN VIOLATION OF N.J.S. 2C:39-4A(1).

WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT DID COMMIT AGGRAVATED ASSAULT BY KNOWINGLY UNDER CIRCUMSTANCES MANIFESTING EXTREME INDIFFERENCE TO THE VALUE OF HUMAN LIFE POINT A LOADED FIREARM AT OR IN THE DIRECTION OF DYLAN DYNOV SPECIFICALLY BY POINTING THE FIREARM AT THE VICTIM IN VIOLATION OF N.J.S. 2C:12-1B(4).

in violation of:

Original Charge	1) 2C:39-4A(1)	2) 2C:12-1B(4)	3)
Amended Charge			

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: **PO DAN SCHARFF** Date: **02/26/2021**

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**
120 HOOPER AVE
Date of Arrest: **02/26/2021** Appearance Date: Time: **TOMS RIVER NJ 08753-0000**
Phone: **732-504-0700**

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. **CAMILLE ELLUZZI JUDICIAL OFFICER** **02/26/2021**
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):

ORIGINAL

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V. ROGER P STEWART
1511	W	2021	000067	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

FTA Bail Information	Date Bail Set:	Amount Bail Set: \$ _____ by: _____	☐ Bail Recog. Attached
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Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed:	Date Referred to County Prosecutor: _____
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Date of First Appearance:	☐ Advised of Rights by_____	Defendant Desires Counsel: ☐ Yes ☐ No
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:39-4A(1)	2) 2C:12-1B(4)	3)
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Amended Charge			
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Waiver Indt/Jury			
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Plea/Date of Plea	Plea:	Date:	Plea:	Date:	Plea:	Date:
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Adjudication (* see code)	Finding Code: Date:	Finding Code: Date:	Finding Code: Date:
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Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp
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Probation Term		Susp. Imp		Susp. Imp		Susp. Imp
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Cond. Discharge Term			
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Community Service			
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D/L Suspension Term			
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Fines/Costs	Fines:	Costs:	Fines:	Costs:	Fines:	Costs:
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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:
DMG - 1/2/1 - 5						

DV Surch/Other Fees	DV:	Other:	DV:	Other:	DV:	Other:
Restitution						

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
Related Traffic Tickets and Complaints:	

				COMPLAINT - WARRANT (Court Action)	
JUDGE'S SIGNATURE _____				DATE _____	
				Page 2 of 7 NJ/CDR2 1/1/2017	

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1511	W	2021	000067
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
JACKSON TWP MUNICIPAL COURT 102 JACKSON DRIVE JACKSON NJ 08527-0000 732-928-1205 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-015669	
COMPLAINANT NAME: PO DAN SCHARFF			
DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/19/1959 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 11007B TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 151102002555		ADDRESS: 62 WERKO PLACE JACKSON NJ 08527-0000	

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 **02/26/2021** in **JACKSON TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT DID POSSESS A FIREARM WITH A PURPOSE TO USE IT UNLAWFULLY AGAINST THE PERSON OR PROPERTY OF ANOTHER, SPECIFICALLY BY POINTING A LOADED 22 CALIBER RIFLE TOWARDS THE VICTIM, IN VIOLATION OF N.J.S. 2C:39-4A(1).

WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT DID COMMIT AGGRAVATED ASSAULT BY KNOWINGLY UNDER CIRCUMSTANCES MANIFESTING EXTREME INDIFFERENCE TO THE VALUE OF HUMAN LIFE POINT A LOADED FIREARM AT OR IN THE DIRECTION OF DYLAN DYNOV SPECIFICALLY BY POINTING THE FIREARM AT THE VICTIM IN VIOLATION OF N.J.S. 2C:12-1B(4).

in violation of:

Original Charge	1) 2C:39-4A(1)	2) 2C:12-1B(4)	3)
Amended Charge			

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: **PO DAN SCHARFF** Date: **02/26/2021**

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**
120 HOOPER AVE **TOMS RIVER NJ 08753-0000**
Date of Arrest: **02/26/2021** Appearance Date: Time: Phone: **732-504-0700**

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. **CAMILLE ELLUZZI JUDICIAL OFFICER** **02/26/2021**
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
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Special conditions of release:

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

COMPLAINT - WARRANT (DEFENDANT'S COPY)

COMMITMENT

COMPLAINT NUMBER

1511**W****2021****000067**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

JACKSON TWP MUNICIPAL COURT**102 JACKSON DRIVE****JACKSON****NJ 08527-0000****732-928-1205**COUNTY OF: **OCEAN**

of CHARGES

2

CO-DEFTS

POLICE CASE #:

21-015669COMPLAINANT
NAME:**PO DAN****SCHARFF****102 JACKSON DRIVE****ATTN WARRANTS****JACKSON****NJ 08527***THE STATE OF NEW JERSEY*

VS.

ROGER P STEWART

ADDRESS:

62 WERKO PLACE**JACKSON****NJ 08527-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **05/19/1959**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #: **11007B**

TELEPHONE #:

(C)LIVESCAN PCN #: **151102002555**

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:39-4A(1)		2	POSS OF WEAPON
2.	2C:12-1B(4)		4	AGG ASSAULT W/
3.				
4.				

Commitment Reason: **Criminal Justice Reform**You will be notified of your **Central First Appearance/CJP** date to be held at the Superior Courtin the county of **OCEAN**at the following address: **OCEAN SUPERIOR COURT****120 HOOPER AVE****TOMS RIVER****NJ 08753-0000**Date of Arrest: **02/26/2021**Phone: **732-504-0700****CAMILLE ELLUZZI JUDICIAL OFFICER****02/26/2021**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER			
1511	W	2021	000067
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
JACKSON TWP MUNICIPAL COURT 102 JACKSON DRIVE JACKSON NJ 08527-0000 732-928-1205 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-015669	
COMPLAINANT PO DAN SCHARFF NAME: 102 JACKSON DRIVE ATTN WARRANTS JACKSON NJ 08527			
DEFENDANT INFORMATION		ADDRESS:	
SEX: M EYE COLOR: BROWN DOB: 05/19/1959		62 WERKO PLACE	
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ		JACKSON NJ 08527-0000	
SOCIAL SECURITY #: [REDACTED] SBI #: 11007B			
TELEPHONE #: [REDACTED] (C)			
LIVESCAN PCN #: 151102002555			

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:
Officers responded to the area of [REDACTED] for a report of two victims being held at gunpoint by a male individual. Officers arrived on scene, and then responded to the woods of 62 Werko Place Jackson, NJ 08527. Defendant, identified as Roger Stewart admitted to holding his firearm underneath his arm, pointed towards the ground, as he approached the victim. The victim, in a statement, advised officers Mr. Stewart pointed the rifle at him.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1511

W

2021

000067

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

ROGER P STEWART

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

The defendants admission that he approached the victim with his firearm and statements made by the victim. Admission was made to officers on scene of incident and detectives at police headquarters.

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

N/A

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: PO DAN SCHARFF LAW ENFORCEMENT OFFICER

Date: 02/26/2021

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. ROGER P STEWART ADDRESS: 62 WERKO PLACE JACKSON NJ 08527-0000	
1511	W	2021	000067		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
JACKSON TWP MUNICIPAL COURT 102 JACKSON DRIVE JACKSON NJ 08527-0000 732-928-1205 COUNTY OF: OCEAN					
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-015669		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/19/1959 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 11007B TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 151102002555	
COMPLAINANT PO DAN SCHARFF NAME: 102 JACKSON DRIVE ATTN WARRANTS JACKSON NJ 08527					

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 charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
 - *Other/Explain Interview by officer
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
 - *Audio recording only
- The defendant was a stranger to the victim.
- A weapon was involved in the incident:
 - Rifle
- Physical evidence was seized/recovered:
 - Weapon(s)
- Child(ren) were present at the time of the offense and:
 - Child(ren) were placed at risk by the offense
- 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 defendant attempted to threaten or intimidate victim(s) in the case, Point a firearm at victim

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: **PO DAN SCHARFF LAW ENFORCEMENT OFFICER** Date: **02/26/2021**

Preliminary Law Enforcement Incident Report

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7/20/2018