

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

October 29, 2020

Via OPRA Machine: opra+request-18103-0a7c3027@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 18003781
Alexa Cook

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report/Arrest Report, Complaint Summons, Affidavit of Probable Cause, Preliminary Law Enforcement Incident Report, Indictment, Plea Form, Judgment of Conviction, and Criminal Information Form pursuant to your request.

Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq. Additionally, criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

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



Global Subject Activity Report



Detail

Print Date/Time: 10/15/2018 08:56

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Cook, Alexa Ray

Jacket: 666 A

SSN:

Address:

Sex:

Female

Phone #:

Height:

5ft 9in to 5ft 9in

Weight:

130.0 lbs. to

130.0 lbs.

DOB:

Eyes:

Hazel

Race:

White

Hair:

Black

DL State:

NJ

DL#:

Physical Characteristics:

Appearance: Disheveled

Hair Style: Straight

Hair Length: Short

Facial Shape: Oval

Complexion: Medium

Build: Medium

Glasses: No

Teeth: Normal

Speech: Normal

Voice: Not Applicable

Country/State of Birth: NJ

City of Birth: Lakewood

County of Origin: Ocean

Ethnicity: Non Hispanic

Citizenship: US Citizen

Tribe: Not Applicable

Hate Group: Not Applicable

Military Service: Not Applicable

Military Discharge:

School: High School -

Diploma

Beard:

None

DNA Collected Date:

Age Range: 29

Hand Preference: Right

Place of Birth:

Occupation: Employed

of Dependents: 0

Primary Language: English

Second Language: English

Gang Affiliation: Not Applicable

Marital Status: Single

Blood Type: Unknown

Mustache: None

DNA Collected:

Known Offender: No

Wants and Warrants

County of Conviction:

Identifying Clothing:

Religion: None

Illegal Alien: No

State Of Conviction:

Modus Operandi

Crime Specialties

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	Cook, Alexa R		White	Femal		Orange	Hazel		5ft 9in	121.0	
AKA	Cook, Alexa		White	Femal		Orange	Hazel		5ft 9in	141.0	
AKA	Cook, Alexa R		White	Femal		Brown	Hazel		5ft 9in	121.0	
AKA	Cook, Alexa		White	Femal		Brown	Hazel		5ft 9in	160.0	
AKA	Cook, Alexa R		White	Femal			Brown		5ft 6in		
AKA	Cook, Alexa R			Femal			Brown				

Nicknames

Entered Date/Time	Nickname Type	Nickname
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Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	Drivers License		NJ		

School/Employer Information



Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600
Phone

Relationship	School/Employer Name	Phone Type
Employer	Wawa	
Employer	Shelf Tech	
Employer Business	Frankie's Bar & Grill	Business
Employer Business	Hemingways	

(732)892-6000

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
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Handicap Information

Handicap

Current Address Information

Address Type	Address	City	State	Zip
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Prior Address Information

Address Type	Address	City	State	Zip	From Date	To Date

Contact Information

Date	Type	Phone	Extension
10/12/2018 23:51	Cell		
10/12/2018 23:51	Cell		
10/12/2018 23:50	Cell		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State
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Activity

Type : Accident

Date	Activity Reference	Description	ORI



Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco
Type : Arrest

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
10/12/2018 22:54	50277	Arrest Type: Township Warrant Charge(s): 2A:10-1,Contempt of Court 2A:10-1,Contempt of Court 2C:29-3b(4),Hindering Apprehension or Prosecution 2C:29-1a,Obstructing Administration of Law or other Governmental Function 2C:29-2a(1),Prevents or Attempts to Prevent a Law Enforcement Officer from Effecting an Arrest	NJ0150600



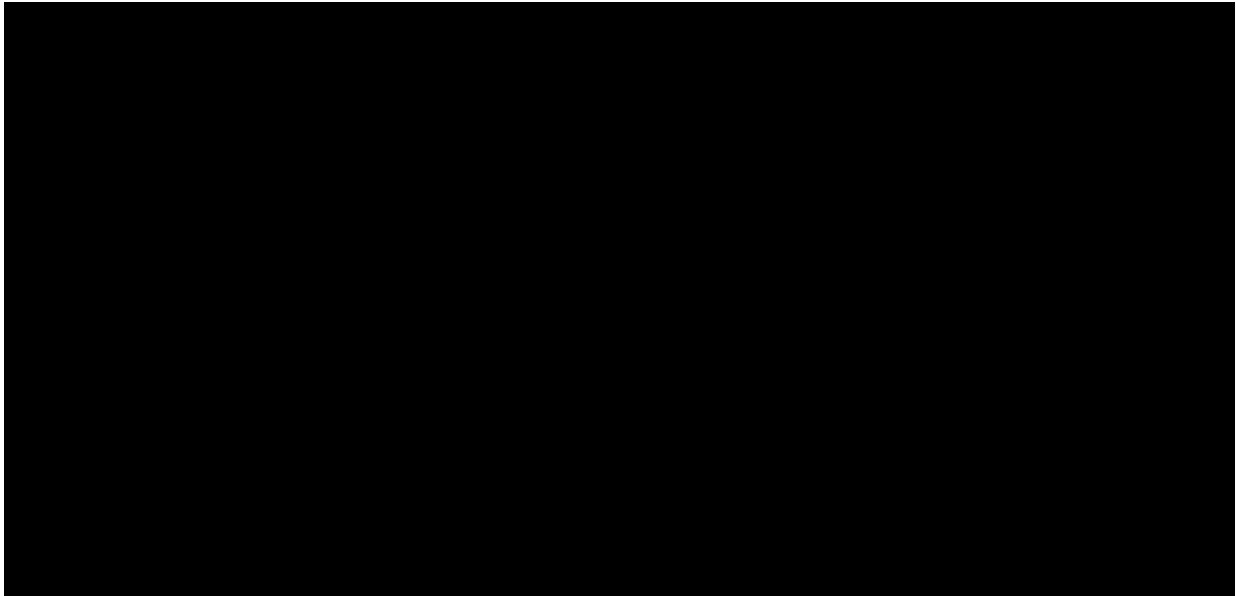
Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco
Type : Booking

Brick Township Police Department
ORI Number: NJ0150600



10/12/2018 23:42

2018-00001279

Booking

NJ0150600

Charge(s):

2A:10-1,Contempt of Court

2A:10-1,Contempt of Court

2C:29-3b(4),Hindering Apprehension or
Prosecution

2C:29-1a,Obstructing Administration of
Law or other Governmental Function

2C:29-2a(1),Prevents or Attempts to
Prevent a Law Enforcement Officer from
Effecting an Arrest



Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco
Type : Case

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
[REDACTED]			
10/12/2018 22:51	2018-00061825	Subject Type: Suspect, Incident Type: Resisting - Arrest Charge(s): 2A:10-1,Contempt of Court 2C:29-2a(1),Prevents or Attempts to Prevent a Law Enforcement Officer from Effecting an Arrest	NJ0150600



Global Subject Activity Report



Detail

Print Date/Time: 10/15/2018 08:56
Login ID: jsisco
Type : Incident

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

10/12/2018 22:51	2018-00061825	Incident Type : Suspicious Condition, Role : Arrestee Charge(s):	NJ0150600
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Type : Orders Of Protection

Date	Activity Reference	Description	ORI
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Type : Property

Date	Activity Reference	Description	ORI
[REDACTED]			

Type : Tickets & Citations

Date	Activity Reference	Description	ORI
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



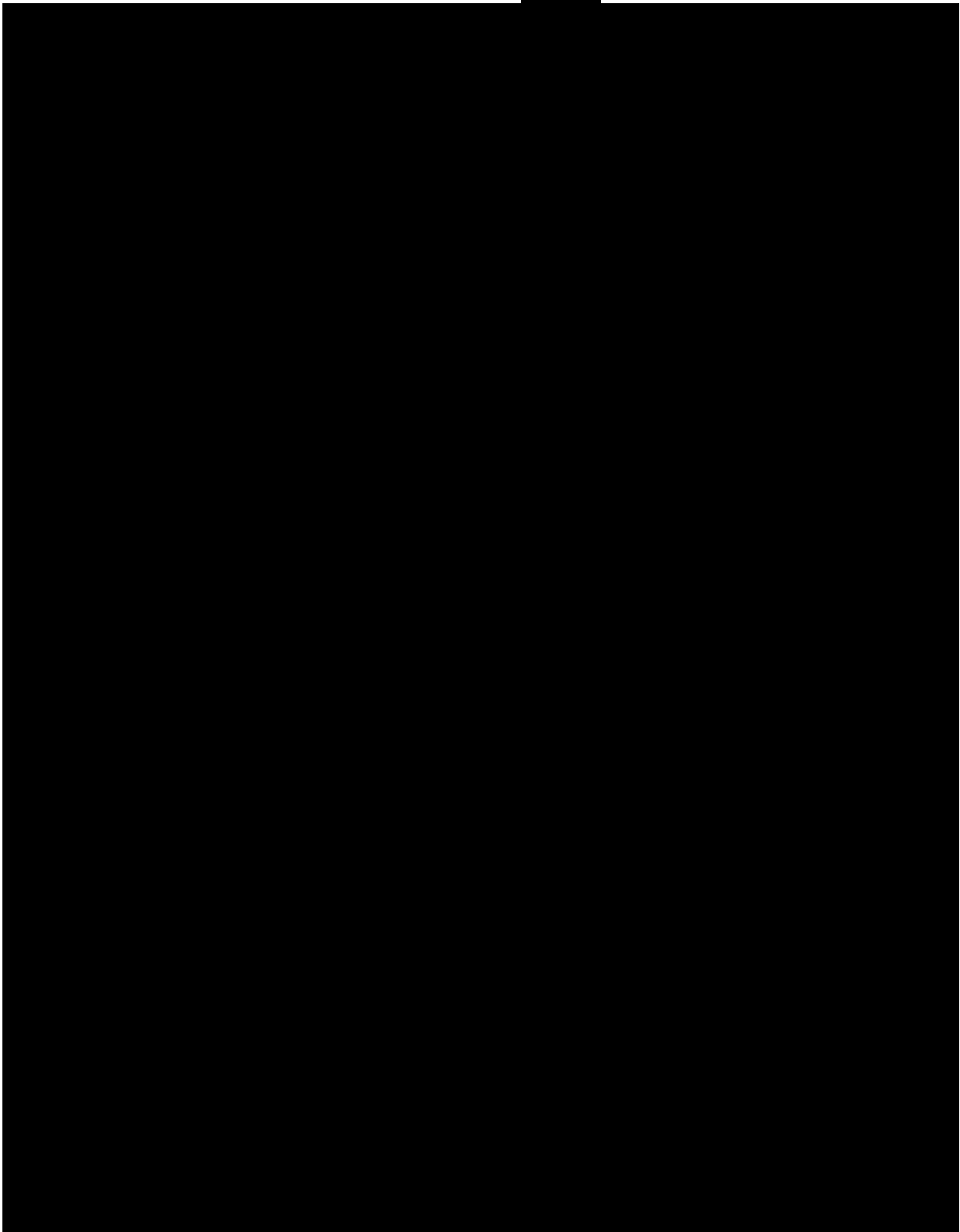
Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco

Brick Township Police Department
ORI Number: NJ0150600





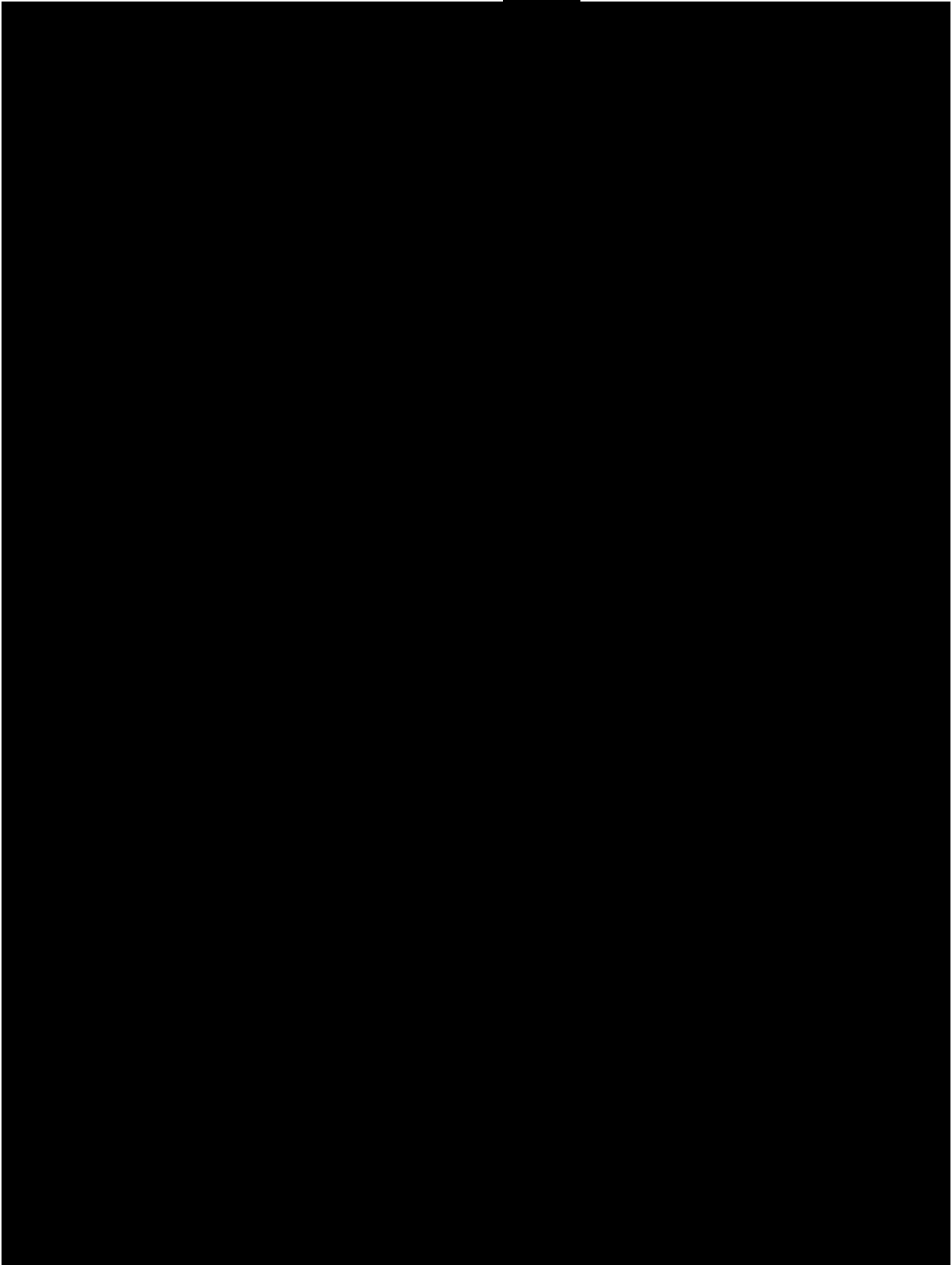
Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco

Brick Township Police Department
ORI Number: NJ0150600





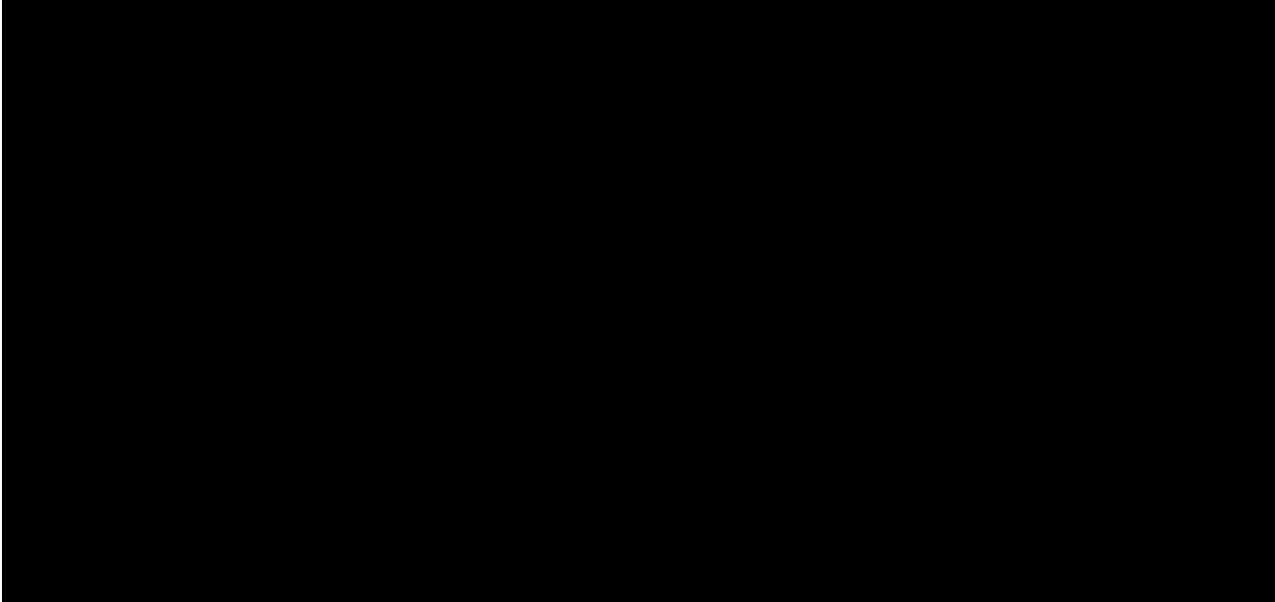
Global Subject Activity Report

Detail



Print Date/Time: 10/15/2018 08:56
Login ID: jsisco

Brick Township Police Department
ORI Number: NJ0150600



Total Activity :

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1506	S	2018	000905
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS 0	POLICE CASE #: 61825-18	
COMPLAINANT NAME: KEVIN DOCHERTY 401 CHAMBERSBRIDGE ROAD BRICK NJ 08723		DEFENDANT INFORMATION SEX: F EYE COLOR: HAZEL DOB: 12/05/1988 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: () TELEPHONE #: [REDACTED] LIVESCAN PCN #: 150603004426	

THE STATE OF NEW JERSEY

VS.

ALEXA R COOK

ADDRESS: **84 CREEK ROAD**

BRICK

NJ 08724-0000

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 **10/12/2018** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY PREVENT OR ATTEMPT TO PREVENT A PUBLIC SERVANT FROM LAWFULLY PERFORMING AN OFFICIAL FUNCTION BY MEANS OF PHYSICAL INTERFERENCE OR OBSTACLE, SPECIFICALLY BY REFUSING TO ALLOW A LAW ENFORCEMENT OFFICER TO EFFECT AN ARREST BY RUNNING AWAY FROM THE SCENE, REFUSING TO PLACE HER HANDS BEHIND HER BACK DURING AN ARREST, AFTER SHE WAS ADVISED THAT SHE WAS UNDER ARREST FOR HAVING TWO OUTSTANDING WARRANTS.

WITHIN THE JURISDICTION OF THIS COURT, DID PROVIDE A FALSE NAME TO A LAW ENFORCEMENT OFFICER WITH PURPOSE TO HINDER HER OWN DETENTION, APPREHENSION, INVESTIGATION, PROSECUTION, CONVICTION OR PUNISHMENT, SPECIFICALLY BY PROVIDING A FALSE NAME TO A LAW ENFORCEMENT OFFICER IN ORDER TO CONCEAL TWO ACTIVE OUTSTANDING WARRANTS ISSUED FOR HER ARREST.

WITHIN THE JURISDICTION OF THIS COURT, DID RESIST ARREST AND PREVENT A LAW in violation of:

Original Charge	1) 2C:29-1A	2) 2C:29-3B(4)	3) 2C:29-2A(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 made by me are willfully false, I am subject to punishment.

Signed: **KEVIN DOCHERTY** Date: **10/13/2018**

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **OCEAN**

at the following address: **OCEAN SUPERIOR COURT**

100 HOOPER AVE

TOMS RIVER

NJ 08753-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **10/12/2018** Appearance Date: **10/25/2018** Time: **04:00PM** Phone: **732-244-2121**

Signature of Person Issuing Summons: **KEVIN DOCHERTY** Date: **10/13/2018**

☐ 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 - SUMMONS

COMPLAINT NUMBER

1506

S

2018

000905

STATE V.

ALEXA R COOK

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ENFORCEMENT OFFICER FROM EFFECTING AN ARREST, SPECIFICALLY BY TENSING UP HER UPPER AND LOWER BODY UP WHILE DROPPING HER WEIGHT TO THE GROUND, PULL HER ARMS AWAY TO THE CENTER OF HER CHEST, FLAIL HER ARMS AND KICK HER LEGS AND FEET AT OFFICERS AS WE ATTEMPTED TO SECURE HER INSIDE THE REAR OF A PATROL VEHICLE.

Original Charge

Amended Charge

COMPLAINT - SUMMONS

Page 1 of 7

NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)											
COMPLAINT NUMBER					STATE V. ALEXA R COOK						
1506	S	2018	000905								
COURT CODE		PREFIX		YEAR		SEQUENCE NO.					
FTA Bail Information			Date Bail Set:		Amount Bail Set: \$ _____ by: _____				☐ Bail Recog. Attached		
Released on Bail	R.O.R.	Committed Default	Committed w/o Bail	Place Committed:					Date Referred to County Prosecutor: _____		
Date of First Appearance: 10/25/2018		☐ 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:29-1A			2) 2C:29-3B(4)			3) 2C:29-2A(1)			
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
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			
Related Traffic Tickets and Complaints:											
JUDGE'S SIGNATURE _____					DATE _____					ORIGINAL - Court Action	
					Page 2 of 7					NJ/CDR1 1/1/2017	

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1506 **S** **2018** **000905**

STATE V.

ALEXA R COOK

COURT CODE PREFIX YEAR SEQUENCE NO.

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____ by: _____

☐ Bail Recog. Attached

Released
on Bail

R.O.R.

Committed
Default

Committed
w/o Bail

Place Committed:

Date Referred to
County Prosecutor: _____

Date of First
Appearance: **10/25/2018**

☐ 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

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 - SUMMONS (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1506	S	2018	000905
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS 0	POLICE CASE #: 61825-18	
COMPLAINANT NAME: KEVIN DOCHERTY		DEFENDANT INFORMATION SEX: F EYE COLOR: HAZEL DOB: 12/05/1988 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: 150603004426	

THE STATE OF NEW JERSEY

VS.

ALEXA R COOK

ADDRESS: **84 CREEK ROAD**

BRICK

NJ 08724-0000

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 **10/12/2018** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY PREVENT OR ATTEMPT TO PREVENT A PUBLIC SERVANT FROM LAWFULLY PERFORMING AN OFFICIAL FUNCTION BY MEANS OF PHYSICAL INTERFERENCE OR OBSTACLE, SPECIFICALLY BY REFUSING TO ALLOW A LAW ENFORCEMENT OFFICER TO EFFECT AN ARREST BY RUNNING AWAY FROM THE SCENE, REFUSING TO PLACE HER HANDS BEHIND HER BACK DURING AN ARREST, AFTER SHE WAS ADVISED THAT SHE WAS UNDER ARREST FOR HAVING TWO OUTSTANDING WARRANTS.

WITHIN THE JURISDICTION OF THIS COURT, DID PROVIDE A FALSE NAME TO A LAW ENFORCEMENT OFFICER WITH PURPOSE TO HINDER HER OWN DETENTION, APPREHENSION, INVESTIGATION, PROSECUTION, CONVICTION OR PUNISHMENT, SPECIFICALLY BY PROVIDING A FALSE NAME TO A LAW ENFORCEMENT OFFICER IN ORDER TO CONCEAL TWO ACTIVE OUTSTANDING WARRANTS ISSUED FOR HER ARREST.

WITHIN THE JURISDICTION OF THIS COURT, DID RESIST ARREST AND PREVENT A LAW
in violation of:

Original Charge	1) 2C:29-1A	2) 2C:29-3B(4)	3) 2C:29-2A(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 made by me are willfully false, I am subject to punishment.

Signed: **KEVIN DOCHERTY** Date: **10/13/2018**

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN

at the following address: OCEAN SUPERIOR COURT

100 HOOPER AVE

TOMS RIVER

NJ 08753-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: **10/12/2018** Appearance Date: **10/25/2018** Time: **04:00PM** Phone: **732-244-2121**

Signature of Person Issuing Summons: **KEVIN DOCHERTY** Date: **10/13/2018**

☐ 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 - SUMMONS (DEFENDANT'S COPY)

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

1506

S

2018

000905

STATE V.

ALEXA R COOK

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ENFORCEMENT OFFICER FROM EFFECTING AN ARREST, SPECIFICALLY BY TENSING UP HER UPPER AND LOWER BODY UP WHILE DROPPING HER WEIGHT TO THE GROUND, PULL HER ARMS AWAY TO THE CENTER OF HER CHEST, FLAIL HER ARMS AND KICK HER LEGS AND FEET AT OFFICERS AS WE ATTEMPTED TO SECURE HER INSIDE THE REAR OF A PATROL VEHICLE.

Original Charge

Amended Charge

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

Page 3 of 7

NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. ALEXA R COOK ADDRESS : 84 CREEK ROAD BRICK NJ 08724-0000	
1506	S	2018	000905		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 3	CO-DEFTS 0	POLICE CASE #: 61825-18		DEFENDANT INFORMATION SEX: F EYE COLOR: HAZEL DOB: 12/05/1988 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: TELEPHONE #: [REDACTED] LIVSCAN PCN #: 150603004426	
COMPLAINANT KEVIN DOCHERTY NAME: 401 CHAMBERSBRIDGE ROAD BRICK NJ 08723					

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 **10/12/2018** in **BRICK TWP**, **OCEAN** County, **NJ** did:
 WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY PREVENT OR ATTEMPT TO PREVENT A PUBLIC SERVANT FROM LAWFULLY PERFORMING AN OFFICIAL FUNCTION BY MEANS OF PHYSICAL INTERFERENCE OR OBSTACLE, SPECIFICALLY BY REFUSING TO ALLOW A LAW ENFORCEMENT OFFICER TO EFFECT AN ARREST BY RUNNING AWAY FROM THE SCENE, REFUSING TO PLACE HER HANDS BEHIND HER BACK DURING AN ARREST, AFTER SHE WAS ADVISED THAT SHE WAS UNDER ARREST FOR HAVING TWO OUTSTANDING WARRANTS.

WITHIN THE JURISDICTION OF THIS COURT, DID PROVIDE A FALSE NAME TO A LAW ENFORCEMENT OFFICER WITH PURPOSE TO HINDER HER OWN DETENTION, APPREHENSION, INVESTIGATION, PROSECUTION, CONVICTION OR PUNISHMENT, SPECIFICALLY BY PROVIDING A FALSE NAME TO A LAW ENFORCEMENT OFFICER IN ORDER TO CONCEAL TWO ACTIVE OUTSTANDING WARRANTS ISSUED FOR HER ARREST.

WITHIN THE JURISDICTION OF THIS COURT, DID RESIST ARREST AND PREVENT A LAW
 in violation of:

Original Charge	1) 2C:29-1A	2) 2C:29-3B(4)	3) 2C:29-2A(1)
-----------------	--------------------	-----------------------	-----------------------

Check	Certification by Police Regarding Complaint-Summons
☒	I certify that I served the complaint-summons by delivering a copy to the defendant personally.
☐	I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over _____ Name of family member over 14 years of age
☐	I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address. _____ Defendant's last known address
☐	I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf. _____ Name and title of authorized person
☐	Other manner of service: I certify that I served the complaint-summons in the following manner: _____
☐	I certify that I was unable to serve the complaint-summons.

Signed: **KEVIN DOCHERTY BRICK TWP POLICE DEPT** Date of Action: **10/13/2018**
Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1506

S

2018

000905

STATE V.

ALEXA R COOK

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ENFORCEMENT OFFICER FROM EFFECTING AN ARREST, SPECIFICALLY BY TENSING UP HER UPPER AND LOWER BODY UP WHILE DROPPING HER WEIGHT TO THE GROUND, PULL HER ARMS AWAY TO THE CENTER OF HER CHEST, FLAIL HER ARMS AND KICK HER LEGS AND FEET AT OFFICERS AS WE ATTEMPTED TO SECURE HER INSIDE THE REAR OF A PATROL VEHICLE.

Original Charge

Amended Charge

RETURN OF SERVICE INFORMATION

Page 4 of 7

NJ/CDR1 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER			
1506	S	2018	000905
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 61825-18	
COMPLAINANT KEVIN DOCHERTY NAME: 401 CHAMBERSBRIDGE ROAD BRICK NJ 08723			
DEFENDANT INFORMATION		ADDRESS:	
SEX: F EYE COLOR: HAZEL DOB: 12/05/1988		84 CREEK ROAD	
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ		BRICK NJ 08724-0000	
SOCIAL SECURITY #: [REDACTED] SBI #:			
TELEPHONE #: ()			
LIVESCAN PCN #: 150603004426			

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 10/13/2018 at 2251 hours I, Ptl. Docherty #275 was on patrol in the area of Lanes Mill Rd. / Primrose Ln. operating marked patrol vehicle #40. During this time, I observed Alexa Cook walk directly in front of my patrol vehicle. Warrant checks were conducted on Cook, which revealed a total of two outstanding warrants issued for her arrest. I made contact with Cook and advised her she was under arrest. During this time, Cook provided a false name and hindered apprehension in order to conceal the two warrants issued for her arrest. She obstructed the administration of law by attempting to run away from the scene and physically resisted arrest by not allowing a law enforcement officer to effect an arrest.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

S

2018

000905

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

ALEXA R COOK

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

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

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: KEVIN DOCHERTY LAW ENFORCEMENT OFFICER

Date: 10/13/2018

Affidavit of Probable Cause

Page 6 of 7

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
1506	S	2018	000905
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT			
401 CHAMBERS BRIDGE			
BRICK NJ 08723-0000			
732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 61825-18	
COMPLAINANT KEVIN DOCHERTY			
NAME: 401 CHAMBERSBRIDGE ROAD			
BRICK NJ 08723			
DEFENDANT INFORMATION			
SEX: F EYE COLOR: HAZEL DOB: 12/05/1988			
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ			
SOCIAL SECURITY #: [REDACTED] SBI #: ()			
TELEPHONE #: [REDACTED]			
LIVESCAN PCN #: 150603004426			

THE STATE OF NEW JERSEY

VS.

ALEXA R COOK

ADDRESS: **84 CREEK ROAD**

BRICK

NJ 08724-0000

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 complaining officer personally observed the offense.
- Another law enforcement officer(s) personally observed the offense, List the officer(s) and their badge# Ptl. Pacyna #287
- The defendant fled, attempted flight, or resisted arrest.
*Physical resistance
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Officer observation
 - Admission by the defendant

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: **KEVIN DOCHERTY LAW ENFORCEMENT OFFICER**

Date: **10/13/2018**

Preliminary Law Enforcement Incident Report

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

ALEXA R. COOK :

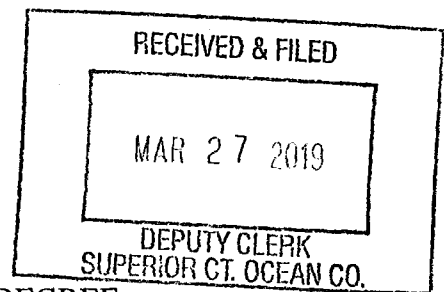
Defendant :

INDICTMENT

NO. 19-03-455

COUNT ONE

RESISTING ARREST-THIRD DEGREE



The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that ALEXA R. COOK, on or about October 12, 2018, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, did purposely prevent or attempt to prevent Patrolman Docherty and Sergeant Shepherd, law enforcement officers of the Brick Township Police Department, from effecting an arrest by using or threatening to use physical force or violence, contrary to the provisions of N.J.S.A. 2C:29-2a(3), and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

DATED: 3/27/19

BY: [Signature]

TAYLOR E. TOSCANO
ASSISTANT PROSECUTOR

ENDORSED: [Signature]
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

ALEXA R. COOK

INDICTMENT NO.

19-03-455

INDICTMENT FOR

RESISTING ARREST

BRADLEY D. BILLHIMER
Ocean County Prosecutor

A TRUE BILL

Thomas J. Rem
Foreperson

Bail SUMMONS

Condition Of Bail _____

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



New Jersey Judiciary
Plea Form

County Ocean County
Prosecutor File Number 18003781-001

Defendant's Name: Alexa Cook
before Judge: Hon. Michael T. Collins, J.S.C.

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
					Time	Fine	
<u>19-03-455</u>	<u>1</u>	<u>Resisting Arrest</u>	<u>DP</u>	Max	<u>6 mos.</u>	<u>\$1,000</u>	<u>\$50.00</u>
		<u>2C:29-2(a)(4)</u>		Max			
		<u>as amended</u>		Max			
		<u>from 2C:29-2(a)(3)</u>		Max			
		<u>Third Degree</u>		Max			
Your total exposure as the result of this plea is:				Total	<u>6 mos.</u>	<u>\$1,000</u>	<u>\$50.00</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

Alexa Cook

Defendant's Initials

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 Office Assessment?

☒ [Yes] ☐ [No]

c. You must pay a minimum Victims of Crime Compensation Office 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(3) (causes or permits child to engage in sexual act that is to be photographed or exhibited), if the crime was committed on or after February 1, 2018, *N.J.S.A.* 2C:24-4b(4) (photographs or films a child in sexual act), if the crime was committed on or after February 1, 2018, *N.J.S.A.* 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography), *N.J.S.A.* 2C:24-4.1 (leader of a child pornography network), if the crime was committed on or after February 1, 2018, *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?

☒ [Yes] ☐ [No]

N/A

(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

\$ 0.00

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 0 years and 0 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 0 years and 0 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.

b. If you are pleading guilty to such a charge, the minimum mandatory extended term is 0 years and 0 months (fill in the number of years/months) and the maximum mandatory extended term can be 0 years and 0 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

S-2018-905-1506

Balance of Remaining Charges
All

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

State will seek fines only, no restitution, no probation.

ABC

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]

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:

~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~
~~_____~~

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]

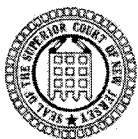
25. Do you have any questions concerning this plea? ☒ [Yes] [No]

Date 2/10/2020 Defendant *[Signature]*

Defense Attorney *[Signature]*

Prosecutor *[Signature]*

[] 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.



Judgment of Conviction

Superior Court of New Jersey, OCEAN County

State of New Jersey**v.**

Last Name

COOK

First Name

ALEXA

Middle Name

R

Also Known As

Date of Birth

12/05/1988

SBI Number

936906G

Date(s) of Offense

10/12/2018

Date of Arrest

PROMIS Number

18 003781-001

Date Ind / Acc / Complt Filed

03/27/2019

Original Plea

☒ Not Guilty☐ Guilty

Date of Original Plea

02/10/2020

Adjudication By

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

Date: 02/10/2020

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-03-00455-I	1	RESIST ARR/ELUD-USE/THREATEN FORCE AGAINST LEO/OTHER	2C:29-2A(3)(A)	3
S-2018-000905-1506	901	HINDERING-GIVE FALSE INFORMATION	2C:29-3B(4)	DP
S-2018-000905-1506	902	RESIST ARR/ELUD-PREVENTS OFFICER FROM EFFECTING ARREST	2C:29-2A(1)	DP

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-03-00455-I	AMENDED 1	RESIST ARR/ELUD-PREVENTS OFFICER FROM EFFECTING ARREST	2C:29-2A(1)	DP

Sentencing Statement

It is, therefore, on 02/10/2020 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

Amended Count 1 : Defendant is sentenced to fines only.

Defendant is assessed the fines, fees and penalties as set forth on page 2 hereof. These fines, fees and penalties are to be paid through Probation at a rate of \$25.00 per month commencing within 30 days from today.

Counts 901 and 902 of Complaint No. S-2018-000905-1506 are dismissed.

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

This is a simultaneous sentence.

20 days to appeal - Appeal rights form signed.

The Court adopts and incorporates as part of the reason for sentence herein all matters set forth on the record at the time of sentencing.

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

Total Custodial Term

000 Years 00 Months 000 Days

Institution Name

Total Probation Term

00 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	@ \$	@ \$
4th Degree	@ \$	@ \$
DP or	@ \$	@ \$
Petty DP	@ \$	@ \$

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)

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
Amended Count 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)

☐ \$

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

☒ 1 Offenses @ \$ 75.00

Total: \$ 75.00

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

\$

☐

Total Financial Obligation

\$ 125.00

Details

Defendant is assessed the fines, fees and penalties as set forth on page 2 hereof. These fines, fees and penalties are to be paid through Probation at a rate of \$25.00 per month commencing within 30 days from today.

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

Time Credits

[illegible]

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

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.

The Court gives heavy weight to aggravating factor 9. The Court gives heavy weight to mitigating factor 7.

The Court adopts and incorporates as part of the reason for sentence herein all matters set forth on the record at the time of sentencing.

Attorney for Defendant at Sentencing ARAM D KARABULUT	Public Defender ☒ Yes ☐ No
Prosecutor at Sentencing ROBERT J CASSIDY	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Michael Collins	
Judge (Signature) /s Michael Collins	Date 02/20/2020

OCEAN COUNTY SUPERIOR COURT - LAW DIVISION

CRIMINAL INFORMATION FORM

NAME Cook, Alexa DATE 2/10/20
IND.# 19-03-00455 ACC.# _____ CASE# 18003781-001
WARRANT/COMPLAINT# _____ CJR/Eligible Def. _____
CHARGES CT 1 is amended to 24-29-2(a)(1) DP Resisting Arrest

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

VOP: _____
GUILTY TO: _____
P.O. _____
☐ TERMINATE PROBATION
SENTENCE: OCJ _____ TERM _____ SUSP _____ WKND _____ COMMENCING _____
DOC _____ TERM _____ PAROLE INELIG _____ AVENEL _____ YCIC _____
☐ C/C to _____ ☐ C/S to _____
CREDIT FOR TIME SERVED _____ GAP TIME _____ PRIOR SERVICE _____ ROSADO CREDIT _____
PROBATION _____
☐ 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 _____ LAB FEE _____ LEOTEF PENALTY _____
S.N.S.F. 75 SUP FEE/MO _____ ☐ D.L. REVOKED _____ MV THEFT FINE _____
S.A.N.E. _____ ☐ SEX ASSAULT SURCHARGE OF \$100 DOMESTIC VIOLENCE SURCHARGE _____
PAYMENT RATE 25 PER MO COMMENCING 15 M/1 30 days
☒ BAIL DISCHARGED ☐ ORDERED RELEASED ☐ REMAND OCEAN COUNTY JAIL
DISMISSED S-2018-905-1506 Balance of remaining charges
(15 2(303) CT3(902))

APPEAL RIGHTS FORM SIGNED Yes / No 20 DAYS TO APPEAL X 45 DAYS TO APPEAL _____

AGGRAVATING FACTORS: 9 heavy

MITIGATING FACTORS: 7 heavy

JUDGE Collins
REPORTER CJS
NOTES: _____

PROSECUTOR Cassidy
DEFT'S ATTY Karabulut

Fines payable through probation

CLERK'S NAME

Maurice Prima 64304

(PLEASE PRINT FULL NAME)

WHITE - COURT

YELLOW - WARDEN

PINK - DEFENDANT

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

October 29, 2020

Via OPRA Machine: opra+request-18103-0a7c3027@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 19003231
Mark Austin

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report/Arrest Report, Complaint Warrant, Affidavit of Probable Cause, Preliminary Law Enforcement Incident Report and Indictment pursuant to your request. Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq. Additionally, criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

Please be advised that the above case is pending, therefore, no plea or sentencing information is in existence at this time.

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



Global Subject Activity Report



Detail

Print Date/Time: 09/18/2019 08:16

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Austin, Mark Joseph

Jacket: 45914 A

SSN:

Address:

Sex:

Male

Phone #:

Height:

6ft 0in to 6ft 0in

Weight:

141.0 lbs. to

170.0 lbs.

DOB:

Eyes:

Hazel

Race:

White

Hair:

Red

DL State:

NJ

DL#:

Physical Characteristics:

Appearance: Normal

Hair Style: Straight

Hair Length: Short

Facial Shape: Oval

Complexion: Freckled

Build: Thin

Glasses: No

Teeth: Normal

Speech: Normal

Voice: Medium Pitch

Mustache: None

DNA Collected: Yes

Known Offender:

Country/State of Birth: US/NJ

City of Birth: Toms River

County of Origin: Ocean

Ethnicity: Non Hispanic

Citizenship: US

Tribe: Not Applicable

Hate Group: Not Applicable

Military Service: Not Applicable

Military Discharge:

School: Associate Degree

Beard: Unshaven

DNA Collected Date: 09/13/2019

Age Range: 28

Hand Preference: Right

Place of Birth: New Jersey

Occupation: Unemployed

of Dependents: 1

Primary Language: English

Second Language: English

Gang Affiliation: Not Applicable

Marital Status: Single

Blood Type: Unknown

Religion: Catholic

Illegal Alien: No

County of Conviction:

State Of Conviction:

Identifying Clothing:

Modus Operandi

Crime Specialties

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	Austin, Mark Joseph		White	Male		Red	Green		6ft 0in	160.0 lbs.	

Nicknames

Entered Date/Time	Nickname Type	Nickname
-------------------	---------------	----------

Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	*FBI	464196Wd9			
	*SBI	857698E			

Known Associates

Relationship	Name
--------------	------

School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
--------------	----------------------	------------	-------

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
Scar	SC HEAD	Old	Scars on back right and top left of head

Handicap Information

Handicap

Current Address Information



Global Subject Activity Report



Detail

Print Date/Time: 09/18/2019 08:16

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Address Type Address City State Zip

Prior Address Information

Address Type Address City State Zip From Date To Date

Contact Information

Date Type Phone Extension
01/27/2012 06:26 Home [REDACTED]

Vehicle Information

Vehicle # Role Contact Date Vehicle Type Make Model Vehicle Year Registration Number State

Activity

Type : Arrest

Date	Activity Reference	Description	ORI
09/13/2019 17:11	51749	Arrest Type: Probable Cause Charge(s): 2C:5-2A(1), Conspiracy (agrees with) 2C:11-3a(1), Murder - Purposely Cause Death 2C:39-4d, Possession of a Weapon for Unlawful Purpose 2C:39-5D, Possession of Other Weapons	NJ0150600

Type : Booking

Date	Activity Reference	Description	ORI
09/13/2019 18:43	2019-00001112	Booking Charge(s): 2C:5-2A(1), Conspiracy (agrees with) 2C:11-3a(1), Murder - Purposely Cause Death 2C:39-4d, Possession of a Weapon for Unlawful Purpose 2C:39-5D, Possession of Other Weapons	NJ0150600



Global Subject Activity Report



Detail

Print Date/Time: 09/18/2019 08:16
Login ID: jsisco
Type : Case

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
[REDACTED]			

09/07/2019 23:07	2019-00057483	Subject Type: Suspect, Incident Type: Homicide - Murder Charge(s): 2C:5-2A(1), Conspiracy (agrees with) 2C:11-3a(1), Murder - Purposely Cause Death 2C:39-4d, Possession of a Weapon for Unlawful Purpose 2C:39-5D, Possession of Other Weapons	NJ0150600
------------------	---------------	--	-----------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Type : Incident

Date	Activity Reference	Description	ORI
[REDACTED]			



Global Subject Activity Report

Detail



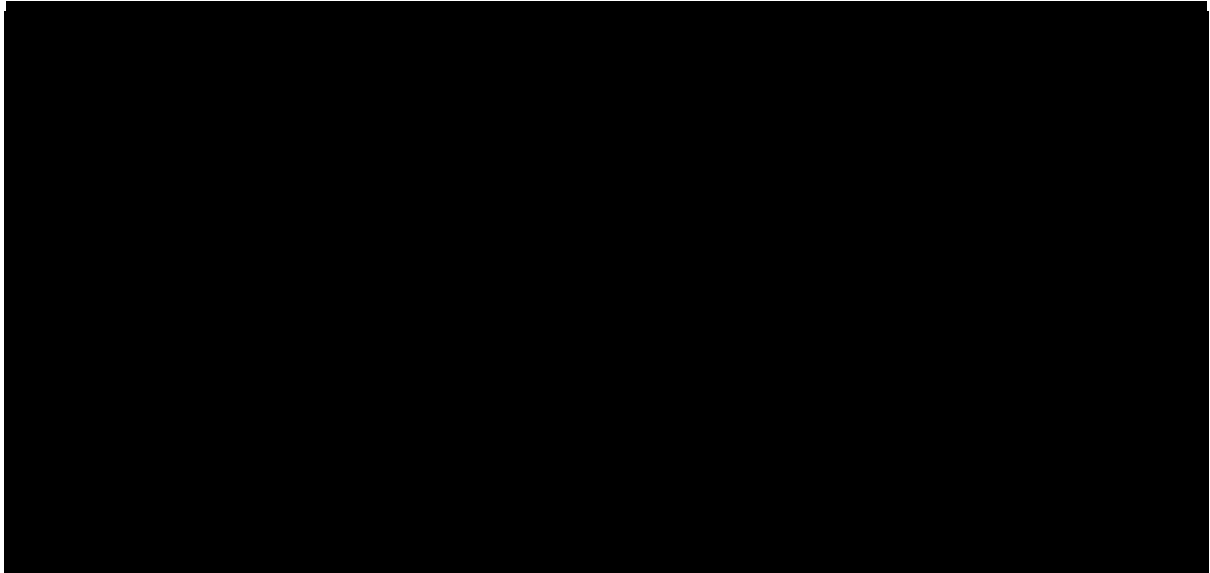
Print Date/Time: 09/18/2019 08:16
Login ID: jsisco
Type : Orders Of Protection

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
09/01/2013 00:00	3614	Order No.: 3614 Role: Defendant Charge(s):	NJ0150600

Type : Tickets & Citations

Date	Activity Reference	Description	ORI
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Total Activity : ■

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000917
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS 1	POLICE CASE #: 57483-19	
COMPLAINANT NAME: MARK BYRNE DET. 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: M EYE COLOR: HAZEL DOB: 06/17/1991 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 857698E TELEPHONE #: [REDACTED] (C) LIVSCAN PCN #: 150603005562	

THE STATE OF NEW JERSEY

VS.

MARK J AUSTIN

ADDRESS: **770 ACORN DRIVE**

BRICK

NJ 08723-0000

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 **09/07/2019** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE CRIME OF MURDER WITHIN THE JURISDICTION OF THIS COURT, BY KNOWINGLY OR PURPOSELY CAUSING THE DEATH OF, OR KNOWING OR PURPOSELY CAUSE SERIOUS BODILY INJURY RESULTING IN THE DEATH OF MARK RICHARD AUSTIN

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A BASEBALL BAT DURING THE COMMISSION OF A CRIME AGAINST A PERSON UNDER CIRCUMSTANCES NOT MANIFESTLY APPROPRIATE FOR SUCH LAWFUL USE

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A BASEBALL BAT WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST MARK R AUSTIN

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, in violation of:

Original Charge	1) 2C:11-3A(1)	2) 2C:39-5D	3) 2C:39-4D
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: **MARK BYRNE DET.** Date: **09/13/2019**

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
Date of Arrest: **09/13/2019** Appearance Date: Time: **TOMS RIVER NJ 08753-0000** 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. **MICHELE EDGIN JUDICIAL OFFICER** **09/13/2019**
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):

ORIGINAL

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506

W

2019

000917

STATE V.

MARK J AUSTIN

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

PURPOSELY DID CONSPIRE WITH ANOTHER PERSON OR PERSONS TO COMMIT THE CRIME OF MURDER BY AGREEING WITH SUCH PERSON OR PERSONS THAT THEY OR ONE OR MORE OF THEM WOULD ENGAGE IN CONDUCT THAT WOULD CONSTITUTE THE CRIME OF MURDER OR AN ATTEMPT OR SOLICITATION TO COMMIT THE CRIME OF MURDER

Original Charge

4) **2C:5-2A(1)**
2C:11-3A(1)

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1506**W****2019****000917****STATE V.****MARK J AUSTIN**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(✓)

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:****Name:**

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:11-3A(1)**2) **2C:39-5D**3) **2C:39-4D**

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 3 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER										STATE V.																			
1506		W		2019		000917		MARK J AUSTIN																					
COURT CODE		PREFIX		YEAR		SEQUENCE NO.																							
FTA Bail Information				Date Bail Set:				Amount Bail Set: \$ _____				by: _____				☐ Bail Recog. Attached													
Released on Bail (✓)		R.O.R.		Committed Default		Committed 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:										Name:																			
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other											
Original Charge				4) 2C:5-2A(1) 2C:11-3A(1)																									
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															
Related Traffic Tickets and Complaints:																													
JUDGE'S SIGNATURE _____										DATE _____										COMPLAINT - WARRANT (Court Action)									
																				Page 4 of 10 NJ/CDR2 1/1/2017									

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000917
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS 1	POLICE CASE #: 57483-19	
COMPLAINANT NAME: MARK BYRNE DET.		DEFENDANT INFORMATION SEX: M EYE COLOR: HAZEL DOB: 06/17/1991 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 857698E TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 150603005562	

THE STATE OF NEW JERSEY

VS.

MARK J AUSTIN

ADDRESS: **770 ACORN DRIVE**

BRICK

NJ 08723-0000

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 **09/07/2019** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE CRIME OF MURDER WITHIN THE JURISDICTION OF THIS COURT, BY KNOWINGLY OR PURPOSELY CAUSING THE DEATH OF, OR KNOWING OR PURPOSELY CAUSE SERIOUS BODILY INJURY RESULTING IN THE DEATH OF MARK RICHARD AUSTIN

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A BASEBALL BAT DURING THE COMMISSION OF A CRIME AGAINST A PERSON UNDER CIRCUMSTANCES NOT MANIFESTLY APPROPRIATE FOR SUCH LAWFUL USE

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A BASEBALL BAT WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST MARK R AUSTIN

WITHIN THE JURISDICTION OF THIS COURT, WITHIN THE JURISDICTION OF THIS COURT, in violation of:

Original Charge	1) 2C:11-3A(1)	2) 2C:39-5D	3) 2C:39-4D
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: **MARK BYRNE DET.** Date: **09/13/2019**

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: **09/13/2019** 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. **MICHELE EDGIN JUDICIAL OFFICER** **09/13/2019**
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)

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506

W

2019

000917

STATE V.

MARK J AUSTIN

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

PURPOSELY DID CONSPIRE WITH ANOTHER PERSON OR PERSONS TO COMMIT THE CRIME OF MURDER BY AGREEING WITH SUCH PERSON OR PERSONS THAT THEY OR ONE OR MORE OF THEM WOULD ENGAGE IN CONDUCT THAT WOULD CONSTITUTE THE CRIME OF MURDER OR AN ATTEMPT OR SOLICITATION TO COMMIT THE CRIME OF MURDER

Original Charge

4) **2C:5-2A(1)**
2C:11-3A(1)

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)

Page 6 of 10

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. MARK J AUSTIN ADDRESS : 770 ACORN DRIVE BRICK NJ 08723-0000			
1506	W	2019	000917				
COURT CODE	PREFIX	YEAR	SEQUENCE NO.				
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN				ADDRESS : 770 ACORN DRIVE BRICK NJ 08723-0000			
# of CHARGES 4	CO-DEFTS 1	POLICE CASE #: 57483-19		DEFENDANT INFORMATION SEX: M EYE COLOR: HAZEL DOB: 06/17/1991 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 857698E TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 150603005562			
COMPLAINANT MARK BYRNE DET. NAME: 401 CHAMBERS BRDG RD ATTN WARRANTS BRICK TOWN NJ 08723							

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.	<u>2C:11-3A(1)</u>	<u></u>	<u></u>	<u>1</u>	<u>MURDER - PURPOS</u>
2.	<u>2C:39-5D</u>	<u></u>	<u></u>	<u>4</u>	<u>UNLAWFUL POSS W</u>
3.	<u>2C:39-4D</u>	<u></u>	<u></u>	<u>3</u>	<u>POSS OF WEAPON</u>
4.	<u>2C:5-2A(1)</u>	<u>2C:11-3A(1)</u>	<u></u>	<u>1</u>	<u>CONSPIRACY - AG</u>

Commitment Reason: **Criminal Justice Reform**

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: 09/13/2019

Phone: **732-244-2121**

MICHELE EDGIN JUDICIAL OFFICER

09/13/2019

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000917**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
4

CO-DEFTS

POLICE CASE #:
57483-19

COMPLAINANT **MARK BYRNE DET.**
NAME: **401 CHAMBERS BRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY

VS.

MARK J AUSTIN

ADDRESS:

770 ACORN DRIVE**BRICK****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **HAZEL** DOB: **06/17/1991**DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**SOCIAL SECURITY #: [REDACTED] SBI #: **857698E**

TELEPHONE #: [REDACTED] (C)

LIVESCAN PCN #: **150603005562**

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:
(SEE APPENDIX A)

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2019

000917

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

MARK J AUSTIN

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

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

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: MARK BYRNE DET. LAW ENFORCEMENT OFFICER

Date: 09/13/2019

Affidavit of Probable Cause

Page 9 of 10

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> VS. MARK J AUSTIN ADDRESS: 770 ACORN DRIVE BRICK NJ 08723-0000	
1506	W	2019	000917		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 57483-19		DEFENDANT INFORMATION SEX: M EYE COLOR: HAZEL DOB: 06/17/1991 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 857698E TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 150603005562	
COMPLAINANT NAME: MARK BYRNE DET. 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723					

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:
 - *Stationhouse interview room camera
- The defendant was known to the victim as:
 - Family
- The victim was injured and:
 - Victim transported to medical facility
- A weapon was involved in the incident:
 - Other/Explain **BASEBALL BAT**
- Physical evidence was seized/recovered:
 - Weapon(s)
- The defendant attempted to conceal, discard or destroy evidence, **DELETE PHONE/CAMERA INFO**
- The defendant attempted to threaten or intimidate witness(es) in the case, **THREATENED VIOLENCE TO CD**
- The case involves a search warrant(s).
- The case involves a consent search.
- 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 PHONES/COMPUTERS**

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: **MARK BYRNE DET. LAW ENFORCEMENT OFFICER** Date: **09/13/2019**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

JERAY K. MELTON
MARK J. AUSTIN

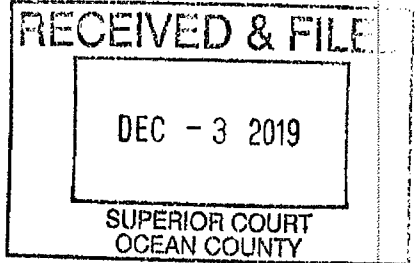
Defendants

INDICTMENT

NO. 19-12-1883

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 JERAY K. MELTON and MARK J. AUSTIN, on or about September 7, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, did purposely or knowingly cause the death of Mark R. Austin or did purposely or knowingly cause serious bodily injury to Mark R. Austin resulting in his death, contrary to the provisions of N.J.S.A. 2C:11-3a(1) or N.J.S.A. 2C:11-3a(2), and against the peace of this State, the Government and dignity of the same.

COUNT TWO

CONSPIRACY TO COMMIT MURDER-FIRST DEGREE

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that JERAY K. MELTON and MARK J. AUSTIN, on or about September 7, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, with the purpose of facilitating the crime of Murder, did agree that they or one or more of them would engage in conduct which would constitute the aforesaid crime or did agree to aid each other in the planning or commission of said crime, that is, purposely or knowingly

causing the death of Mark R. Austin or purposely or knowingly causing serious bodily injury resulting in the death of Mark R. Austin, contrary to the provisions of N.J.S.A. 2C:11-3a(1) or 2, in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the Government and dignity of the same.

COUNT THREE

UNLAWFUL POSSESSION OF A WEAPON-FOURTH DEGREE

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that JERAY K. MELTON and MARK J. AUSTIN, on or about September 7, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, knowingly did possess a certain weapon, that is, a baseball bat, under circumstances not manifestly appropriate for such lawful uses as it may have, contrary to the provisions of N.J.S.A. 2C:39-5d, and against the peace of this State, the Government and dignity of the same.

COUNT FOUR

POSSESSION OF A WEAPON FOR AN UNLAWFUL PURPOSE-THIRD DEGREE

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that JERAY K. MELTON and MARK J. AUSTIN, on or about September 7, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, did possess a certain weapon, that is, a baseball bat, with a purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4d, and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

DATED: 12/3/19

BY: [Signature]
MICHAEL R. WEATHERSTONE
ASSISTANT PROSECUTOR

ENDORSED: [Signature]
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

JERAY K. MELTON
MARK J. AUSTIN

INDICTMENT NO.

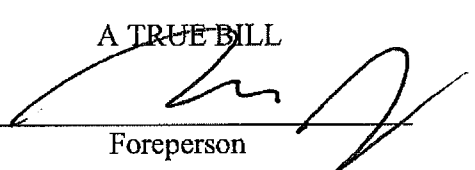
19-12-1883

INDICTMENT FOR

MURDER
CONSPIRACY TO COMMIT MURDER
UNLAWFUL POSSESSION OF A WEAPON
POSSESSION OF A WEAPON FOR AN UNLAWFUL PURPOSE

BRADLEY D. BILLHIMER
Ocean County Prosecutor

A TRUE BILL


Foreperson

Bail **BOTH:** Eligible defendant
under Bail Reform - Detained

Condition Of Bail _____

**SUPERIOR COURT
COUNTY OF OCEAN**

*****ARREST AFFIDAVIT*****

- A. On Saturday, September 7, 2019, Brick Township Police (C# 57483-19), responded to 770 Acorn Drive following a 9-1-1 call placed at approximately 2307 hours by Michael Rodgers (DOB: [REDACTED], SSN: [REDACTED] in reference to an unresponsive male. Upon arrival, responding officers found the front door of the residence to be unlocked and subsequently made entry. They subsequently discovered what appeared to be a person covered in blankets in the living area to the right.
- B. Upon removal of the blankets, police discovered the body of Mark Austin (DOB: [REDACTED], SSN: [REDACTED] with apparent blunt force trauma to the face. The victim was pronounced dead via telemetry at 2328 hours by Dr. Delmaestro of Newark Beth Israel Hospital. As a result of not knowing if the actor was still in the residence, police cleared the residence.
- C. Patrol Officers spoke with the decedent's ex-wife, Barbara Austin (DOB: [REDACTED], SSN: [REDACTED]), and the decedent's friend, Jeremy Londino ([REDACTED], SSN: [REDACTED]) outside of the residence. The following information was related by the two.
- D. On Saturday, September 7, 2019, at approximately 1947 hours, Londino received a phone call from the decedent, requesting that Londino bring him water and chips. Londino arrived at the residence at approximately 2100 hours and used the rear door to make entry. Subsequent to entering the residence, Londino discovered the body of the decedent on the sofa in the front living area. Londino stated that he noticed blood spatter on the walls and ceiling. Londino then called his friend Artie. Artie was identified as Arthur Smith (DOB: [REDACTED], SSN: [REDACTED]).
- E. Londino and Smith responded to Barbara Austin's boyfriend's residence at [REDACTED].

[REDACTED] in [REDACTED] Austin's boyfriend was identified as Michael Rodgers.

- F. Londino, Smith, and Austin then responded back to 770 Acorn Drive. Upon arrival, the three entered through the rear door of the residence and observed the body of the decedent. Austin noticed a baseball bat on the floor and picked up the same, leaning it on the wall and cabinet in the kitchen of the residence.
- G. The three left the residence. Smith drove Austin back to [REDACTED]. Austin related to Rodgers what she observed while at the residence. Austin and Rodgers subsequently called 9-1-1.
- H. On September 8, 2019, at approximately 0233 hours, a Court authorized Search Warrant was authorized telephonically by the Honorable Therese Cunningham, J.S.C. A search of the residence was conducted pursuant to said Search Warrant. The search yielded one baseball bat with apparent blood transfer and hair located in the kitchen of the residence leaning against a cabinet and the wall. Located in the back room near the back entrance of the residence were a beer, spoon, and a belt. Located on the table in the backroom was, what appeared to be, an apparatus used for ingesting narcotics.
- I. Located in the front of the residence was a black in color 2010 Ford F150 bearing New Jersey Registration Number [REDACTED]. Said vehicle was found to be registered to Carol Lehman of [REDACTED].
- J. On Thursday, September 8, 2019, Detective Murphy and Detective Byrne conducted an audio/video recorded statement of Mark J Austin in regards to this investigation. The interview was conducted at the Brick Township Police Department. During the course of the interview with Mr. Austin, he related that he resides at 770 Acorn Road with the decedent, whom he identified as his father. According to Austin, on September 6, 2019, he slept at his residence along with his four (4) year old a child. He woke up on September 7 at approximately 0700 hours and made breakfast for him and his son.
- K. Austin stated that at approximately 1315 hours, he had a conversation with the decedent who advised that he was going to Bayonne, New Jersey, presumably to purchase heroin from an individual that he only knows as "Shadow." The

decedent also related to Austin that he needed Austin to travel to a location on State Highway 70, near the intersection of State Highway 72, to pick up a black male who would be standing on the side of the road.

- L. It was at that time that Austin left the residence and dropped his son off at his mother's residence located on [REDACTED]
- M. After dropping his son off at Austin's mother's house, Austin travelled to the aforementioned location on Highway 70, where he picked up a black male that he described as wearing a red baseball cap and had a beard. He then drove said male back to his residence at 770 Acorn in Brick Township, where, according to Austin, the decedent told him that the unidentified male could stay in his room until the decedent returned home.
- N. Subsequent to dropping off the unidentified male at his residence, Austin took his dogs and dropped them off at his mother's house. He remained there for a period of time and then returned to his residence, picked up the unknown male, and dropped him off around the location he picked him up at earlier in the day. Austin stated that he did not mind doing so because he planned on going to a bonfire in Whiting, NJ.
- O. Austin advised that after dropping off the unidentified male, he decided to take a ride to Philadelphia, where he purchased two cheesesteaks.
- P. Austin advised that at approximately 2300 hours he received a phone call from his neighbor across the street. The neighbor told him that he needed to return home and that something happened to his father. He eventually told Austin that his father was deceased and after pulling over numerous times to calm himself down, he returned to the residence where he was met by law enforcement.
- Q. During the interview, Austin advised that he drove himself to Brick Police Headquarters in a white Volkswagen Jetta. A look up of vehicles registered to Austin yielded a New Jersey registration number [REDACTED] described as a white in color 2006 Volkswagen Jetta registered to Mark J Austin bearing vehicle identification number 3VWST71K16M791408.
- R. Subsequent to the interview, Austin's cell phone and smart watch were seized from his person pending application for a Court authorized Search Warrant.

- S. On Sunday, September 8, 2019 at approximately 1930 hours, a post mortem examination was conducted on the body of the decedent. The examination, which took place at Community Medical Center in Toms River, New Jersey, was conducted by Dr. Ian Hood of the Ocean County Medical Examiner's Office. Dr. Hood determined the cause of death of Mark Austin to be blunt trauma to the head and face and the manner of death to be homicide.
- T. On Monday, September 9, 2019, officers returned to the residence located at 770 Acorn Drive in Brick Township to continue processing the scene. Recovered from the residence was a black in color cell phone with a cracked screen and "ZTE" written in gray lettering on the back in the center of the phone. Also located on a desk in the residence was gold in color Samsung SM-N950F/DS bearing serial number R38JBOLVKAT.
- U. On Sunday, September 8, 2019, a Search Warrant for the Samsung Galaxy Note 10 was drafted by Detective Dennis Mitchell of the Ocean County Prosecutor's Office Major Crimes Unit and subsequently approved by Chief Trial Attorney Michael Weatherstone. The Search Warrant was authorized by the Honorable Therese A. Cunningham, J.S.C., at approximately 1313 hours.
- V. An extraction of the cellphone was conducted by Detective Ray Coles of the High Tech Crime Unit. A review of the extraction yielded a Wyze Labs application on the device. Said application can be used to review and store video surveillance from synced cameras. A review of the content yielded video surveillance from the victim's residence at 770 Acorn Drive on September 7, 2019. Said footage is contradictory to statements made by Austin to police. Austin previously told police that the cameras in the residence have not worked for several days and that there would not be video footage from September 7, 2019. The email account associated with the Wyze account was found to be [REDACTED]
- W. On Monday, September 9, 2019, Communications Data Warrants were drafted by Detective Dennis Mitchell of the Ocean County Prosecutor's Office Major Crimes Unit for the telephone facilities [REDACTED] and [REDACTED]. Said telephone facilities are were found to belong to the victim and Mark J. Austin, respectively. The Communications Data Warrants were approved by Chief Trial Attorney

Michael Weatherstone and approved by the Honorable Guy P. Ryan, J.S.C.

- X. A review of the documentation provided pursuant to said Warrants was conducted. On September 7, 2019, the victim's phone, as well as Mark J. Austin's, were in the area of 770 Acorn Drive at approximately 1600 hours. At approximately 2101 hours, the victim's cell phone was located in area of Route 70 and Route 539. Mark J. Austin's phone appears to travel west on Route 70 from the hours of 2040 hours to 2125 hours which was documented as a result of the previously issued warrants.
- Y. A review of video surveillance collected from the Wawa located at 135 NJ-70, in Lakewood Township shows a white vehicle pull into the fueling area. A male exits the vehicle and walks into the store to make a purchase at approximately 2043 hours. The male was identified through the surveillance to be Mark J. Austin.
- Z. On Tuesday, September 10, 2019, Detective Dennis Mitchell of the Ocean County Prosecutor's Office Major Crimes Unit completed the Search Warrant Return for the residence located at 770 Acorn Drive in Brick Township. Among the items taken from the residence were a black in color Synology Diskstation, Model DS1812+ network area storage drive, a HP M7-J010DX laptop bearing serial number 6CG3352FS, an Apple iPad A1567, and Apple iPad A1395 bearing serial number F5RKR655DKPH, a Seagate SRD0SP0 External Drive bearing serial number NA5AG9RJ, a Western Digital Passport External Hard drive serial number WXE1A174JS2F, a Western Digital WD1600UO-17-004 External Drive bearing serial number WXE107697021, a Sandisk 32GB Micro USB, a Sandisk 64GB MicroSD Card serial number 627DPEYK08M, a HP Presario C700 laptop serial number CND742093Y, a HP TC1100 laptop serial number KRD53009V, and a Toshiba Satellite A205-S5000 laptop serial number 68148276K.
- AA. On Thursday, September 9, 2019 the forensic extraction of the gold in color Samsung SM-N90F/DS was reviewed pursuant to a Court authorized Search Warrant. The cellular device was identified as an old phone belonging to Mark J. Austin. Said extraction yielded a conversation using the application Facebook Messenger between Austin and an individual using the Facebook handle "Jeray

Melton." "Jeray Melton" was identified as Jeray Melton (DOB: 09/23/1991, SSN: [REDACTED]). The only visible text in the chat was sent by Melton to Austin. The messages starting on September 7, 2019 at 1915 hours read as follows:

"This shit"

"He went in his room to do his hit he told me he was a junky he noticed the cameras"

"He said someone is on there way"

"K"

"[image: thumbs up]"

"I'm ready but he said someone is coming"

BB. Detective John Carroll, of this office, spoke with Melissa Jones of the New Jersey Department of Corrections, Garden State Youth Correctional Facility, in reference to Jeray Melton. Ms. Jones related that Melton and Austin were bunkmates from March 2016 to May 2016 at the Garden State Youth Correctional Facility.

CC.



DD. A search of an online law enforcement database was conducted by detective for Jeray Melton. Said search yielded a possible phone number for Jeray Melton as [REDACTED] with an address of [REDACTED] as of March 7, 2019. A search of an online law enforcement database was conducted

by detective for Jeray Melton. Said search yielded a possible phone number for Jeray Melton as [REDACTED] with an address of [REDACTED] as of March 7, 2019.

- EE. A subpoena for subscriber information was sent to Sprint Wireless. A response pursuant to said subpoena showed the subscriber to be Baron Smith, Jr of [REDACTED]
- FF. On September 12, 2019, this Affiant was provided with information from the Salem County Prosecutor's Office that Jeray Melton was stopped by police on two occasion in May 2019 and one occasion in July 2019. On all three occasions Melton provided officers with the address of 112 Anderson Drive, Salem City, New Jersey. Furthermore, Melton was observed by a detective from the Salem County Prosecutor's Office in a vehicle registered to Teonna Nelson. Nelson is a known associate of Melton. The vehicle was observed parked in front of the residence 112 Anderson Drive as of September 13, 2019.
- GG. Based on the aforementioned information Detective Dennis Mitchell of the Ocean County Prosecutor's Office Major Crimes Unit made an application for a telephonic search warrant for the residence 112 Anderson Drive, Salem City, New Jersey. The Search Warrant was authorized by the Honorable Therese Cunningham, J.S.C.
- HH. On September 13, 2019 Melton was observed leaving the residence of 112 Anderson Drive and entering a 2010 grey Chrysler Sebring, Pennsylvania registration [REDACTED] This is the same vehicle Melton was observed driving on the night of September 12, 2019.
- II. Detectives from Salem County Prosecutor's Office executed a motor vehicle stop on the vehicle and Melton was taken into custody. Melton was transported back to the Salem County Prosecutor's Office. Melton was interview by Detective John Murphy of the Ocean County Prosecutor's Office and Detective Mark Byrne of the Brick Township Police Department, prior to the interview, Melton was advised of his Miranda warnings and waived same.
- JJ. During the subsequent interview Melton admitted that on September 7, 2019, he was transported by Mark Austin to 770 Acorn Drive, Brick, New Jersey. While at

the residence Melton said Austin threatened him with a handgun and forced Melton to strike Austin's father multiple times in the head with a bat resulting in his death.

- KK. Melton stated that after striking the victim multiple times in the head with a bat Austin drove Melton back to his residence in Salem City. Melton further stated that Austin had Melton remove his clothing, place it in a garbage bag. Austin then poured bleach into the garbage bag and through the clothing into a dumpster in Salem City.
- LL. Melton stated that he communicated with Austin via Facebook Messenger.

DET. Mark Byrne #177
Detective Mark Byrne
Brick Township Police Department

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

October 29, 2020

Via OPRA Machine: opra+request-18103-0a7c3027@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 20000823
Luis Rivas

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report/Arrest Report, Complaint Warrant, Affidavit of Probable Cause, Preliminary Law Enforcement Incident Report, Accusation, Waiver of Indictment, Plea Form, Supplemental Plea Form and Judgment of Conviction pursuant to your request.

Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq. Redactions of juvenile records have been made pursuant to N.J.S.A. 2A:4A-60. Additionally, criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

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



Global Subject Activity Report



Detail

Print Date/Time: 03/11/2020 14:54

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Rivas, Luis Lonso Jacket: 16815 J SSN:

Address: [REDACTED] Sex: Male

Phone #: [REDACTED] Height: 5ft 3in to 5ft 9in
Weight: 120.0 lbs. to 130.0 lbs.

DOB: [REDACTED] Eyes: Brown
Race: White Hair: Brown
DL State: DL#:

Physical Characteristics:

Appearance:	Normal	Country/State of Birth:	USA/NY	Age Range:	16
Hair Style:	Wavy / Curly	City of Birth:	Brooklyn	Hand Preference:	Right
Hair Length:	Short	County of Origin:	Brooklyn	Place of Birth:	NEW YORK
Facial Shape:	Oval	Ethnicity:	Hispanic	Occupation:	Student
Complexion:	Medium	Citizenship:	US Citizen	# of Dependents:	0
Build:	Thin	Tribe:	Not Applicable	Primary Language:	English
Glasses:	No	Hate Group:	Not Applicable	Second Language:	Spanish
Teeth:	Normal	Military Service:	Not Applicable	Gang Affiliation:	Not Applicable
Speech:	Normal	Military Discharge:		Marital Status:	Single
Voice:	Medium Pitch	School:	High School - Completed 10	Blood Type:	Unknown

Mustache:	None	Beard:	None	Religion:	Christian
DNA Collected:	Yes	DNA Collected Date:	10/26/2019	Illegal Alien:	No

Known Offender:

County of Conviction: State Of Conviction:
Identifying Clothing:

Assaultive

Modus Operandi

Shot Victim

Crime Specialties

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	Rivas, Louis Lonso	06/12/2003	White	Male		Brown	Brown		5ft 3in	120.0 lbs.	[REDACTED]

Nicknames

Entered Date/Time	Nickname Type	Nickname
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Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	*FBI	HEWFR7LNA			
	*SBI	967732G			

Known Associates

Relationship	Name
--------------	------

School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
School	Brick Memorial High School		

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
Tattoo	TAT R FOREARM	Animals/Land	2 Elephants
Tattoo	TAT R FOREARM	Animals/Air	2 Elephants

Handicap Information



Global Subject Activity Report

Detail



Print Date/Time: 03/11/2020 14:54
Login ID: jsisco
Handicap

Brick Township Police Department
ORI Number: NJ0150600

Current Address Information

Address Type	Address	City	State	Zip
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Prior Address Information

Address Type	Address	City	State	Zip	From Date	To Date
--------------	---------	------	-------	-----	-----------	---------

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		
------------	------------	------------	------------	------------	--	--

[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]		
------------	------------	------------	------------	------------	--	--

Contact Information

Date	Type	Phone	Extension
10/24/2019 09:25	Cell	[REDACTED]	
10/23/2019 11:28	Home	[REDACTED]	
10/24/2019 09:25	Cell	[REDACTED]	

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State
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Activity

Type : Arrest

Date	Activity Reference	Description	ORI
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
		[REDACTED]	
		[REDACTED]	
10/23/2019 10:45	1521	Arrest Type: Probable Cause Charge(s): 2C:12-1b(5)(a),Aggravated Assault - Commits a simple assault upon a law enforcement officer 2C:29-1a,Obstructing Administration of Law or other Governmental Function	NJ0150600
10/26/2019 15:00	1523	Arrest Type: Other Jurisdiction Warrant Charge(s): 2A:10-1,Contempt of Court 2C:5-1A(1),Criminal Attempt 2C:11-3a(1)(2),Murder	NJ0150600



Global Subject Activity Report

Detail



Print Date/Time: 03/11/2020 14:54
Login ID: jsisco
Type : Booking

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
10/23/2019 11:25	2019-00001256	Booking Charge(s): 2C:12-1b(5)(a),Aggravated Assault - Commits a simple assault upon a law enforcement officer 2C:29-1a,Obstructing Administration of Law or other Governmental Function	NJ0150600
10/26/2019 15:04	2019-00001275	Booking Charge(s): 2A:10-1,Contempt of Court 2C:5-1A(1),Criminal Attempt 2C:11-3a(1)(2),Murder	NJ0150600
03/03/2020 16:10	2020-00000246	Booking Charge(s): 2C:11-3a(1)(2),Murder 2C:39-4a(2),Possession of a Firearm for Unlawful Purpose (community gun) 2C:39-5b(1),Unlawful Possession of a Handgun	NJ0150600



Global Subject Activity Report

Detail



Print Date/Time: 03/11/2020 14:54
Login ID: jsisco
Type : Case

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
[REDACTED]			
10/22/2019 13:47	2019-00067020	Subject Type: Suspect, Incident Type: Assault - Aggravated Charge(s): 2C:11-3a(1), Murder - Purposely Cause Death 2C:39-4.1a, Possession of a Weapon while Committing a CDS Crime 2C:39-5b(1), Unlawful Possession of a Handgun	NJ0150600
10/23/2019 09:59	2019-00067170	Subject Type: Suspect, Incident Type: Assault - Aggravated Charge(s): 2C:12-1b(5)(a), Aggravated Assault - Commits a simple assault upon a law enforcement officer 2C:29-1a, Obstructing Administration of Law or other Governmental Function 2C:29-2a(1), Prevents or Attempts to Prevent a Law Enforcement Officer from Effecting an Arrest	NJ0150600
10/26/2019 15:00	2019-00067958	Subject Type: Suspect, Incident Type: Warrant Service - Arrest Charge(s): 2C:5-1A(1), Criminal Attempt 2C:11-3a(1), Murder - Purposely Cause Death 2C:39-4a(1), Possession of a Firearm for Unlawful Purpose 2C:39-5b(1), Unlawful Possession of a Handgun	NJ0150600
Type : Incident			
Date	Activity Reference	Description	ORI
10/23/2019 09:59	2019-00067170	Incident Type : Disorderly Person(s) - Adult, Role : Suspect Charge(s):	NJ0150600

Total Activity : 13

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2020	000180
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 6	CO-DEFTS	POLICE CASE #: 67020-19	
COMPLAINANT NAME: DANIEL WALESKI DET. 401 CHAMBERS BRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 06/12/2003 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: (C) LIVSCAN PCN #: 150603006109 DL STATE:	
ADDRESS: 187 BRIAR MILLS DR BRICK NJ 08724-0000			
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 10/22/2019 in BRICK TWP , OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (N.W.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (N.W.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (K.B.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (K.B.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (K.W.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (K.W.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). in violation of:			
Original Charge	1) 2C:5-1A(1) 2C:11-3A(1)	2) 2C:5-1A(1) 2C:11-3A(1)	3) 2C:5-1A(1) 2C:11-3A(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 made by me are willfully false, I am subject to punishment. Signed: DANIEL WALESKI DET. Date: 03/03/2020			
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: 03/03/2020 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		Signature of Judge	
Date		Date	
☒ Probable cause IS found for the issuance of this complaint. JOSEPH GRISANTI JUDICIAL OFFICER 03/03/2020 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	
		Page 1 of 10 NJ/CDR2 1/1/2017	

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2020****000180**

STATE V.

LUIS L RIVAS

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (Q.N.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (Q.N.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1).

WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY AND OR KNOWINGLY POSSES A FIREARM WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST A PERSON IN VIOLATION OF NJSCA 2C:39-4A.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY AND OR PURPOSELY POSSES OR HAVE IN HIS CONTROL A WEAPON SPECIFICALLY A HANDGUN WITHOUT LICENSE TO DO SO IN VIOLATION OF NJSCA 2C:39-5B.

Original Charge

4) **2C:5-1A(1)**
2C:11-3A(1)5) **2C:39-4.1A**6) **2C:39-5B(1)**

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER										STATE V.									
1506		W		2020		000180		LUIS L RIVAS											
COURT CODE		PREFIX		YEAR		SEQUENCE NO.													
FTA Bail Information				Date Bail Set:				Amount Bail Set: \$ _____				by: _____				☐ Bail Recog. Attached			
Released on Bail (✓)		R.O.R.		Committed Default		Committed 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:										Name:									
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other	
Original Charge		1) 2C:5-1A(1) 2C:11-3A(1)				2) 2C:5-1A(1) 2C:11-3A(1)				3) 2C:5-1A(1) 2C:11-3A(1)									
Amended Charge																			
Waiver Indt/Jury																			
Plea/Date of Plea		Plea:		Date:		Plea:		Date:		Plea:		Date:		Plea:		Date:			
Adjudication (* see code)		Finding Code:		Date:		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:		Fines:		Costs:			
VCCB/SNSF		VCCB:		SNSF:		VCCB:		SNSF:		VCCB:		SNSF:		VCCB:		SNSF:			
DEDRLab Fee		DEDRLab:		LAB:		DEDRLab:		LAB:		DEDRLab:		LAB:		DEDRLab:		LAB:			
CD Fee/Drug Ed Fnd		CD:		DAEF:		CD:		DAEF:		CD:		DAEF:		CD:		DAEF:			
DV Surch/Other Fees		DV:		Other:		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					
Related Traffic Tickets and Complaints:																			
JUDGE'S SIGNATURE _____										DATE _____									
										COMPLAINT - WARRANT (Court Action)									
										Page 3 of 10 NJ/CDR2 1/1/2017									

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.															
1506		W	2020									000180							
COURT CODE		PREFIX	YEAR		SEQUENCE NO.		LUIS L RIVAS												
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		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:								Name:											
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other	
Original Charge				4) 2C:5-1A(1) 2C:11-3A(1)				5) 2C:39-4.1A				6) 2C:39-5B(1)							
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							
Related Traffic Tickets and Complaints:																			
JUDGE'S SIGNATURE _____								DATE _____								COMPLAINT - WARRANT (Court Action)			
																Page 4 of 10 NJ/CDR2 1/1/2017			

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2020	000180
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 6	CO-DEFTS	POLICE CASE #: 67020-19	
COMPLAINANT NAME: DANIEL WALESKI DET.		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 06/12/2003 DRIVER'S LIC. #. SOCIAL SECURITY #: (C) DL STATE: TELEPHONE #: (C) SBI #: 9677326 LIVSCAN PCN #: 150603006109	
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 10/22/2019 in BRICK TWP , OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (N.W.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (N.W.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (K.B.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (K.B.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (K.W.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (K.W.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1). in violation of:			
Original Charge	1) 2C:5-1A(1) 2C:11-3A(1)	2) 2C:5-1A(1) 2C:11-3A(1)	3) 2C:5-1A(1) 2C:11-3A(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 made by me are willfully false, I am subject to punishment Signed: DANIEL WALESKI DET. Date: 03/03/2020			
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: 03/03/2020 Appearance Date: Time: Phone: 732-504-0700 TOMS RIVER NJ 08753-0000			
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		Signature of Judge	
Date		Date	
☒ Probable cause IS found for the issuance of this complaint. JOSEPH GRISANTI JUDICIAL OFFICER 03/03/2020 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 5 of 10 NJ/CDR2 1/1/2017	

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2020****000180**

STATE V.

LUIS L RIVAS

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY ATTEMPT TO CAUSE THE DEATH OF ANOTHER (Q.N.) SPECIFICALLY BY FIRING A WEAPON IN THE DIRECTION OF (Q.N.) WITH THE INTENT TO CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN DEATH TO SAME IN VIOLATION OF 2C:5-1, 2C:11-3A(1).

WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY AND OR KNOWINGLY POSSES A FIREARM WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST A PERSON IN VIOLATION OF NJSCA 2C:39-4A.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY AND OR PURPOSELY POSSES OR HAVE IN HIS CONTROL A WEAPON SPECIFICALLY A HANDGUN WITHOUT LICENSE TO DO SO IN VIOLATION OF NJSCA 2C:39-5B.

Original Charge

4) **2C:5-1A(1)**
2C:11-3A(1)5) **2C:39-4.1A**6) **2C:39-5B(1)**

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)**Page 6 of 10**

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1506**W****2020****000180**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
6

CO-DEFTS

POLICE CASE #:
67020-19

COMPLAINANT **DANIEL WALESKI DET.**
NAME: **401 CHAMBERS BRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY

VS.

LUIS L RIVAS

ADDRESS :

187 BRIAR MILLS DR**BRICK****NJ 08724-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **06/12/2003**

DRIVER'S LIC. #.

DL STATE:

SOCIAL SECURITY #:

SBI #: **967732G**TELEPHONE #: **(C)**LIVESCAN PCN #: **150603006109**

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.	<u>2C:5-1A(1)</u>	<u>2C:11-3A(1)</u>	<u>1</u>	<u>CRIMINAL ATTEMP</u>
2.	<u>2C:5-1A(1)</u>	<u>2C:11-3A(1)</u>	<u>1</u>	<u>CRIMINAL ATTEMP</u>
3.	<u>2C:5-1A(1)</u>	<u>2C:11-3A(1)</u>	<u>1</u>	<u>CRIMINAL ATTEMP</u>
4.	<u>2C:5-1A(1)</u>	<u>2C:11-3A(1)</u>	<u>1</u>	<u>CRIMINAL ATTEMP</u>

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**
120 HOOPER AVE

in the county of **OCEAN****TOMS RIVER****NJ 08753-0000**Date of Arrest: **03/03/2020**Phone: **732-504-0700****JOSEPH GRISANTI JUDICIAL OFFICER****03/03/2020**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2020****000180**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
6

CO-DEFTS

POLICE CASE #:
67020-19

COMPLAINANT **DANIEL WALESKI DET.**
NAME: **401 CHAMBERS BRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY

VS.

LUIS L RIVAS

ADDRESS :

187 BRIAR MILLS DR**BRICK****NJ 08724-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **06/12/2003**

DRIVER'S LIC. #.

DL STATE:

SOCIAL SECURITY #:

SBI #: **967732G**TELEPHONE #: **(C)**LIVESCAN PCN #: **150603006109**

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:
see attachment A.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2020

000180

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

LUIS L RIVAS

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

surveillance along with witness statements.

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

gunshot wound to right shoulder.

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: DANIEL WALESKI DET. LAW ENFORCEMENT OFFICER

Date: 03/03/2020

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. LUIS L RIVAS ADDRESS: 187 BRIAR MILLS DR BRICK NJ 08724-0000	
1506	W	2020	000180		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 6	CO-DEFTS	POLICE CASE #: 67020-19		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 06/12/2003 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: SBI #: 967732G TELEPHONE #: (C) LIVESCAN PCN #: 150603006109	
COMPLAINANT DANIEL WALESKI DET. NAME: 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723					

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:
 - *Audio recording only
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
- The defendant was known to the victim as:
 - Acquaintance
- The victim was injured and:
 - Victim transported to medical facility
- A weapon was involved in the incident:
 - Handgun
- Child(ren) were present at the time of the offense and:
 - Child(ren) were the victim
 - 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 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: multiple devices

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: **DANIEL WALESKI DET. LAW ENFORCEMENT OFFICER** Date: **03/03/2020**

Preliminary Law Enforcement Incident Report

Page 10 of 10

7/20/2018

ATTACHMENT A
AFFIDAVIT OF PROBABLE CAUSE

- A. On Saturday, October 19, 2019, Brick Township Police responded to [REDACTED] following a 9-1-1 call placed at 2336 hours by Justin Desiderio. Desiderio reported hearing shots fired in the parking lot of the complex.
- B. Upon arrival, police made contact with seven (7) male parties, four (4) of which are juveniles, at 187 Briar Mills Drive. Police subsequently identified J'Quill Johnson (DOB: [REDACTED]) inside of said apartment with an apparent gunshot wound to the leg. Johnson was transported to Jersey Shore University Medical Center where he was treated for his injuries.
- C. On Sunday, October 21, 2019, at approximately 0001 hours, Detective Mitchell, of the Ocean County Prosecutor's Office, was directed to respond to 187 Briar Mills Drive in Brick Township by Detective Sergeant Brian Haggerty to assist with the investigation. Detective Mitchell arrived on scene at approximately 0031 hours and was briefed on the known facts by Detective Greg Mullarkey of the Brick Township Police Department.
- D. In short, Detective Mitchell was advised that the seven (7) individuals were walking in the parking lot toward the apartment located at 187 Briar Mills Drive, when a vehicle pulled into the lot and approached the group. The vehicle slowed down as it passed the group of males and subsequently fired approximately five (5) rounds into the group of males, striking Johnson in the leg.
- E. Detective Cooney, of the Brick Township Police Department responded to Jersey Shore Medical Center to speak with the victim. Detective Cooney attempted to speak with Johnson in the presence of his parents. Detective Cooney advised that his interview did not produce any information to assist in the investigation as Johnson was uncooperative and unwilling to provide any details, suspects or vehicles he may have seen prior to being shot.
- F. Detective Mitchell and Detective Mullarkey spoke with juvenile Luis Rivas at 187 Briar Mills Drive in reference to the incident. Rivas stated that he resides at 187 Briar Mills Drive in Brick Township. Rivas related that the group was at a party earlier in the evening in Long Branch, New Jersey. On their way home from the party they stopped at Country Farms and subsequently found the store to be closed. The group then left Country Farms and drove back to Briar Mills, where Rivas stated he resides. While

ATTACHMENT A
AFFIDAVIT OF PROBABLE CAUSE

walking toward the apartment located at 187 Briar Mills Drive, a vehicle approached them and began firing toward the group. They realized that Johnson was struck in the leg and waited for first aid arrival inside of the apartment. Rivas was unable to describe the suspect vehicle or the occupant(s).

- G. Detective Mullarkey asked Rivas if he knew of anyone that would want to hurt them or that would be capable of committing such an act to which Rivas replied "No." Detective Mullarkey then asked Rivas that if he did know who shot at them or who would be trying to hurt them if he would provide said information to the police. Rivas replied "No."
- H. Detective Mitchell subsequently spoke with Emanuel Ventura (DOB: [REDACTED]), Nkosi Jones (DOB: [REDACTED]), and juveniles [REDACTED] and [REDACTED] in reference to the aforementioned incident. Said individuals were unwilling to provide any additional information in regards to the events that occurred and who may have shot at them.
- I. [REDACTED] stated that he currently resides at [REDACTED]. This is the same address [REDACTED] provided to Asbury Park Police in May of 2019. Emanuel Ventura stated that he currently resides at [REDACTED].
- J. [REDACTED] can be described as a heavyset black male, approximately six (6) feet two (2) inches tall with an afro style haircut. LUIS RIVAS can be described as a thin Hispanic male with pale complexion, approximately five (5) feet ten (10) inches tall with short dark in color hair.
- K. Detective Ralph Laudicina of the Ocean County Sheriff's Office, Crime Scene Investigations, responded to photograph and process the scene. Detective Laudicina collected approximately four (4) 9mm shell casings in the roadway on Briar Mills Drive.
- L. Detective Mitchell was advised that there was video surveillance of the area located at [REDACTED]. Detective Mitchell subsequently went to [REDACTED] and spoke with Thomas Brennan, the occupant of the apartment. Brennan showed Detective Mitchell and officers from the Brick Township Police Department video of the incident. Upon reviewing the video, Detective Mitchell was able to identify a male group walking across the parking lot toward 187 Briar Mills Drive. Detective Mitchell was able

ATTACHMENT A
AFFIDAVIT OF PROBABLE CAUSE

to identify the group of males, based on their physical appearance and clothing, as being the same group of individuals Detective Mitchell spoke with at 187 Briar Mills Drive. A vehicle is shown pulling into the parking lot and approaching the group of males. The vehicle slows down and drives passed the group and briefly come to a stop. The crowd is scene dispersing frantically, shortly thereafter, an individual is observed hopping on one leg and appears to be injured.

M. Detective Mitchell was advised by Brick Police of an incident that occurred on Saturday, October 19, 2019, involving Tierra Jones, the mother of Nkosi Jones and her vehicle. Said incident involved Ms. Jones's Cadillac Escalade bearing New Jersey registration number [REDACTED]. The vehicle was vandalized while parked in front of Ms. Jones's residence at [REDACTED]. Detective Mitchell was advised that Tierra Jones informed Brick Township Police that Nkosi Jones's ex-girlfriend, Arlisha Randolph, was sending threatening messages to Nkosi via Facebook Messenger. Ms. Jones related that her son, Nkosi Jones, sent Ms. Jones a screenshot of said messages. Ms. Jones subsequently showed Brick Police Officers the screen shot of the messages on her cell phone.

N. On Sunday, October 20, 2019, Detective Mitchell and Detective Mullarkey and the undersigned of the Brick Township Police Department responded to [REDACTED] to speak with Ms. Jones about the two incidents from October 19, 2019. Ms. Jones related that she received screenshots of messages between Nkosi and Arlisha from Nkosi. The two were apparently arguing via Facebook Messenger. Ms. Jones read Detective Mitchell a message sent from Arlisha Randolph to Nkosi Jones that stated "We on the way" and "I hope it was Louie that got shot."

O. Detective Mitchell requested that Ms. Jones have Nkosi Jones come to the front door so we could speak with him. Jones stated that Arlisha texted him saying "Look at your mom's car." Jones subsequently showed Detective Mitchell the conversations between Arlisha Randolph and himself on his cell phone. Jones handed Detective Mitchell his cellular device to view the messages. Subsequent to seeing the messages, Detective Mitchell advised Jones that we would like to have his phone extracted. Detective Mitchell requested that Jones provide consent for us to perform the extraction to which he

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denied. Jones was advised that we would only be seeking information pertaining to this investigation. Jones subsequently stated "Everything in my phone pertains to this bro."

- P. Jones's cell phone was subsequently seized by police pending the application of a Search Warrant. Said phone is described as a white in color Apple iPhone with rose gold backing and a case covering the back and sides with blue and gold coloring on the backing. The phone was subsequently secured at the Ocean County Prosecutor's Office in temporary evidence.
- Q. On Tuesday, October 22, 2019, at approximately 1347 hours, Brick Township Police responded to Brick Memorial High School at 2001 Lanes Mill Road, following a 9-1-1 call reporting shots fired. Members of the Ocean County Prosecutor's Office, Ocean County Sheriff's Office, New Jersey State Police, Toms River Police Department, Bay Head Police, Monmouth County Sheriff's Department, and Lakewood Township Police responded to the school to assist with the investigation.
- R. The victim, juvenile [REDACTED] was located on the gymnasium floor with an apparent gunshot wound to the shoulder and was being treated by medics and subsequently transported to Ocean Medical Center in Brick Township. Juvenile [REDACTED] was located attempting to run out from the school and subsequently detained by Sergeant Jensen, of the Brick Township Police Department. Investigation revealed that the victim was in the company of juveniles [REDACTED] [REDACTED] and [REDACTED] at the time of the shooting.
- S. Detective Mitchell and the undersigned responded to Ocean Medical Center in Brick Township to speak with the victim in regards to the incident. [REDACTED] related that he was on Lanes Mills Road walking home from the school to his residence at [REDACTED] after school. [REDACTED] related that he noticed two individuals a significant distance in front of him dressed in black walking toward him and his three friends while walking on Lanes Mill Road. [REDACTED] described the two individuals to Detective Mitchell. [REDACTED] described the individual he saw shoot as a tall, heavyset black male with a high afro style hair cut dressed in black. [REDACTED] state that this individual was wearing a hooded sweatshirt with the hood pulled up. [REDACTED] further stated that do to the hair style the hood was unable to cover the hair in its entirety. [REDACTED] further

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related that he saw said black male pull an object from his pocket utilizing his right hand just prior to hearing the shots. [REDACTED] described the other individual as a light skinned male with thin build. [REDACTED] was unable to determine the race of the other individual.

T. The investigation revealed that the shooting had occurred near Lanes Mill road and New York Avenue with the victim and [REDACTED] running into the school screaming for police and help as [REDACTED] stated that he was shot. The school was placed on lockdown and an extensive search/clearing was conducted, as was an extensive canvass including K9 track was conducted in the area of the shooting. Video obtained from the area revealed that the suspects involved approached the group in the area of Lanes Mill Road and New York Avenue.

U. [REDACTED] [REDACTED] and [REDACTED] were transported to the Brick Township Police Department where interviews were conducted. The three individuals were not able to provide any additional details. The cell phone belonging to [REDACTED] was seized by police from his person. The cell phone belonging to [REDACTED] was recovered from his book bag. The cell phone seized from [REDACTED] can be described as a black in color Apple iPhone with blue backing and a clear case covering the back and sides. The cell phone belonging to [REDACTED] can be described as a black in color Apple iPhone with a turquoise case covering the back and sides.

V. A canvass of the area for video was conducted by responding officers. Said canvass yielded video surveillance at [REDACTED] [REDACTED] [REDACTED]
[REDACTED]

W. Video surveillance recovered from [REDACTED] yielded the following. At approximately 1313 hours a gold in color Nissan sedan pulls in to the parking lot and parks near [REDACTED]. Said vehicle has a crooked black frame around the front license plate. At approximately 1314 hours, a heavysset black male with an afro style hair cut clad in a red long sleeve shirt, black pants, and black shoes with white base exits the front passenger side door. A thin build light skin, possibly Hispanic, male clad in tan pants, a black shirt, and white shoes exits the front driver's side of the vehicle. Both males walk toward the apartment located at 187 Briar Mills Drive. Detective

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Mitchell is aware of the location of 187 Briar Mills Drive in relation to the viewing angle due to the incident that occurred on Saturday, October, 19, 2019.

- X. At approximately 1332, the two aforementioned individuals are seen walking toward the car with a third male. Said male is described as a thin build, light skin male, clad in a black shirt, black pants and white shoes. The male clad in black pants, a black shirt and white shoes enters the rear passenger seat of the gold in color Nissan sedan. The male clad in a red sweatshirt, black pants, and black and white shoes enters the front passenger side of the vehicle. The male entering the front passenger side of the vehicle reaches in and pulls out what appears to be a black and white colored garment as he enters the vehicle. The male clad in a black shirt, tan pants and white shoes enters the front driver's seat of the aforementioned vehicle. Based on Detective Mitchell's previous interactions with [REDACTED] and Luis Rivas on the early morning hours of October 201, 2019, Detective Mitchell recognized the individuals on the surveillance videos as [REDACTED] the individual entering the individual entering the front passenger seat and Rivas as the individual entering the rear passenger seat.
- Y. Video surveillance from [REDACTED] showed the following. At approximately 1313 hours a gold in color Nissan sedan pulls in to the parking lot and parks near [REDACTED]. Said vehicle has a crooked black frame around the front license plate. At approximately 1314 hours, a heavyset black male with an afro style hair cut clad in a red long sleeve shirt, black pants, and black shoes with white base exits the front passenger side door. A thin build light skin, possibly Hispanic, male clad in tan pants, a black shirt, and white shoes exits the front driver's side of the vehicle. At approximately 1315 hours, both males approach 187 Briar Mills Drive and wait at the door. The two males enter the address at approximately 1317 hours.
- Z. At approximately 1332 hours, the two aforementioned individuals exit the residence and begin walking toward the car with a third male. Said male is described as a thin build, light skin male, clad in a black shirt, black pants and white shoes. The male clad in black pants, a black shirt and white shoes enters the rear passenger seat of the gold in color Nissan sedan. The male clad in a red sweatshirt, black pants, and black and white shoes with the afro style hair cut enters the front passenger side of the vehicle. The male

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entering the front passenger side of the vehicle reaches in and pulls out what appears to be a black and white colored garment as he enters the vehicle. The male clad in a black shirt, tan pants and white shoes enters the front driver's seat of the aforementioned vehicle.

AA. Shortly thereafter, the male wearing black pants, a black sweatshirt and white shoes, exits the rear passenger side of the vehicle and runs back toward 187 Briar Mills Drive. The male returns approximately five (5) minutes later and enters the rear passenger side of the aforementioned vehicle. At approximately 1339 hours, the vehicle leaves the area.

BB. Video recovered from [REDACTED] yielded the following. At approximately 1341 hours, a gold in color Nissan sedan is travelling eastbound on New York Avenue. Said vehicle is observed multiple times until approximately 1343 hours. At approximately 1343, a thin build male, wearing black pants, a black hooded sweatshirt with the hood up, and white shoes is observed running eastbound on New York Avenue. A view from a different camera at the same residence, at approximately 1343 hours, depicts the same male running eastbound on New York Avenue with his hands in the pockets of the sweatshirt. Detective Mitchell recognized this individual Luis Rivas. The shoes, which are more visible in said clip, can be described as white in color low top sneakers with a black Nike check mark. At approximately 1344 hours, a heavyset black male afro style hair cut is observed walking Eastbound on New York Avenue. Said male is clad in black pants, a white and black sweatshirt and dark in color shoes. Detective Mitchell recognized this individual as [REDACTED] At approximately 1345 hours, said male is seen walking across the yard between New York Avenue and Michigan Avenue and proceeded to walk westbound on Michigan Avenue toward Lanes Mill Road. Within seconds, the aforementioned gold in color Nissan is seen travelling westbound on New York Avenue and subsequently bears right onto Michigan Avenue. At approximately 1345 hours, the gold Nissan comes to a rest in the roadway in front of 535 Michigan Avenue and the aforementioned heavyset black male enters the front passenger side door.

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CC. Video surveillance recovered from [REDACTED] yielded the following. A gold in color sedan travelling eastbound on New York Avenue, then westbound on New York Avenue, and again eastbound on New York Avenue. Said vehicle is substantially similar to the vehicle observed in the prior video.

DD. Video surveillance recovered from [REDACTED] showed the following. It should be noted that the date and time on the camera is incorrect due to the camera having been reset recently. The date and time reset to eight years prior, March 3, 2011. A gold in color Nissan sedan is observed travelling eastbound on New York Avenue from Lanes Mill Road. The vehicle is observed to have a crooked black license plate frame. The vehicle is observed travelling westbound on New York Avenue and stopping at the intersection at Lanes Mill Road. The vehicle slowly enters the intersection and subsequently begins to travel eastbound in reverse, coming to rest near 540 New York Avenue. The vehicle can be described as a gold in color Nissan sedan with apparent damage to the driver's side rear bumper. The vehicle then pulls off and drives northbound on Lanes Mill Road.

EE. A short time later, a thin male, possibly Hispanic with pale complexion, is observed running eastbound into the frame. Detective Mitchell was able to identify the male on the video as Luis Rivas. The individual is observed with his left hand in his sweatshirt pocket. Said male stops and turns around to travel westbound on New York Avenue. Shortly thereafter he is again observed running eastbound on New York Avenue with the right hand in his sweatshirt pocket appearing to be carrying something. The left hand appeared to be supporting the object from outside of the sweatshirt. The male is again observed wearing black pants, a black hooded sweat shirt and white low top sneakers with a Nike check mark on the side. Behind the aforementioned male, a heavysset black male with an afro style hair cut is seen walking in the roadway. Detective Mitchell recognized this male as [REDACTED]. The male is described as a heavysset black male, clad in a sweatshirt with dark in color sleeves and a white front with the hood up and afro style hair protruding from the front of the hood, black pants and black shoes with a white base.

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FF. On Wednesday, October 23, 2019, Detective Mitchell was forwarded information from Jessica Butts, of the New Jersey Regional Operations and Intelligence Center. Ms. Butts stated that she researched all of the individuals present for the shooting that occurred on October 19, 2019. Ms. Butts' research revealed that on June 26, 2019, Emanuel Ventura was ticketed in Long Branch in a beige 2003 Nissan Altima registered to Patti Soterio (DOB [REDACTED] of [REDACTED]). A DMV look up yielded a 2003 beige in color Nissan Altima bearing New Jersey Registration number [REDACTED] registered to Patti Soterio.

GG. Detective Janine Kaiser of the Ocean County Prosecutor's Office forwarded Detective Mitchell a Vigilant look up of the aforementioned vehicle. Said look up yielded that the vehicle was located several times in May of 2019 in Monmouth County. The associated photos from the look up show damage to the rear driver side bumper of the vehicle, consistent with the damage and vehicle seen in the aforementioned surveillance videos.

HH. On October 23, 2019, at approximately 1834 hours, Detective Mitchell was advised by Detective Sergeant Jim Burgess that Detectives conducting surveillance on the residence observed an individual matching the description of [REDACTED] at the residence.

II. On October 23, 2019 at 2051 hours Detective Denis Mitchell #183 of the Ocean County Prosecutors Office and I, Detective Daniel Waleski #157 interviewed Emanuel Ventura at Brick Police Headquarters in reference to the shooting incident that took place on Lanes Mill Road near the Brick Memorial High School.

JJ. Prior to speaking with Emanuel Ventura, he was presented and read a copy of the Brick Twp Miranda Rights Waiver Form. Ventura stated that he understood his rights and signed the copy of the Miranda Form. Ventura agreed to voluntarily answer our questions reference his involvement in the shooting incident on October 22, 2019.

KK. Ventura stated that on October 22, 2019, he left his residence in [REDACTED] and picked up [REDACTED]. Ventura stated that they both traveled to Brick Twp. to visit Luis Rivas, 187 Briar Mills Drive Brick NJ 08724 and arrived a little after 1:00 pm. Ventura stated that after meeting up with Luis

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Rivas all three individuals left 187 Briar Mills Drive and were heading to the store. Ventura stated that while traveling down Lanes Mill Road, they told Ventura to pull over in the area of Lanes Mill Road and New York Ave Brick NJ. Ventura stated that both [REDACTED] and Rivas jumped out of his Nissan Altima to talk to some subjects walking North on Lanes Mill Road. Ventura was told by [REDACTED] to pull down the block and wait. Ventura stated that while he was waiting for [REDACTED] and Rivas to return to the vehicle he heard several bangs which he believed to be gunshots. Ventura stated that Rivas responded back to his vehicle and both traveled north on New York Ave and on to Michigan Ave. Ventura stated that he observed [REDACTED] walking on Michigan Ave and picked him up. Ventura stated that all three subjects left the area and traveled back to Ventura's residence in [REDACTED]. Ventura stated that all three individuals engaged in a conversation. Ventura stated that during the conversation [REDACTED] stated "WE EVENED THE SCORE". Detective Mitchell asked Ventura to explain what that comment actually meant and Ventura stated "SOMEONE WAS SHOT". We asked Ventura about the whereabouts of the gun and Ventura stated that he was not sure who had it or where it was. Ventura was adamant that the gun was not in his vehicle.

LL. On October 23, 2019, members of the Brick Township Police Department, Ocean County Prosecutor's Office and Ocean County Sheriff's Department executed a search warrant at [REDACTED] the residence of [REDACTED]. During the course of the search several items of evidential value were seized. Specifically: a red Aeropostale sweatshirt that was being worn by [REDACTED] at the time of the execution of the search warrant similar to that being worn by the heavy set suspect in the surveillance video, a white sweatshirt with blue hood and blue sleeves similar to that being worn by the heavy set suspect in the surveillance video, 2 pair of black sneaker with white base similar to those being worn by the heavy set suspect in the surveillance video, and numerous electronic devices.

MM. On October 23, 2019, members of the Brick Township Police Department, Ocean County Prosecutor's Office and Ocean County Sheriff's Department executed a search warrant at 187 Briar Mills, Brick Township NJ, the residence of Luis Rivas. During the execution of the search warrant the following items of evidential value were seized: one

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pair of white sneaker with a black Nike symbol similar to those being worn by the thin build suspect in the surveillance video, several articles of black colored clothing similar to those being worn by the thin build suspect in the surveillance video, and numerous electronic devices

NN. On October 23, 2019 at 2347 hours Detective Denis Mitchell #183 of the Ocean County Prosecutors Office and I, Detective Daniel Waleski #157 Brick Police Dept. interviewed [REDACTED] in the presence of his mother [REDACTED] Prior to speaking with [REDACTED] and his mother, both were read a copy of the Brick Twp. Juvenile Rights Form. Both [REDACTED] stated they understood their Rights and agreed to sign the Rights Waiver Form.

OO. [REDACTED] stated that he was picked up by Ventura yesterday and traveled to 187 Briar Mills Road to visit Luis Rivas. [REDACTED] at first denied multiple times being in Bricktown or being in the area of Lanes Mill Road and New York Ave. [REDACTED] finally admitted to being with Rivas and Ventura in Bricktown in the area of New York Ave. [REDACTED] was shown a picture of himself while walking on New York Ave wearing a hooded sweatshirt with dark color sleeves and identified himself in the picture. [REDACTED] stated first that he was by himself but then admitted to being picked up by Ventura and Rivas on Michigan Ave Brick. [REDACTED] started to become visibly upset and started to cry after seeing himself in the still picture. The picture was placed into Brick Property for future evidence. [REDACTED] stated that he got upset over his Uncle, J'quill Johnson getting shot in the leg on Saturday night October 19, 2019 in Brick. [REDACTED] became quiet and stated he wanted to go home. No further statements were made by [REDACTED]

X  157

DETECTIVE DAN WALESKI #157
BRICK TOWNSHIP POLICE DEPARTMENT

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



**New Jersey Judiciary
Plea Form**

County Ocean
Prosecutor File Number 20000823-001

Defendant's Name: Luis L. Rivas
before Judge: Daniels

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
					Time	Fine	
<u>20-03-438</u>	<u>1</u>	<u>(Conspiracy to Commit) App.</u>	<u>2^o</u>	Max	<u>10 yrs.</u>	<u>150K</u>	<u>50</u>
		<u>NSA 2 C.5-2 (a)(1) 1st</u>		Max			
		<u>2C:12-1b(1) 2nd</u>		Max			
				Max			
				Max			
Your total exposure as the result of this plea is:				Total	<u>10 yrs.</u>	<u>150K</u>	<u>50</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 Office Assessment?

☒ [Yes] ☐ [No]

c. You must pay a minimum Victims of Crime Compensation Office 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(3)* (causes or permits child to engage in sexual act that is to be photographed or exhibited), if the crime was committed on or after February 1, 2018, *N.J.S.A. 2C:24-4b(4)* (photographs or films a child in sexual act), if the crime was committed on or after February 1, 2018, *N.J.S.A. 2C:24-4b(5)(b)* (knowingly possessing or knowingly viewing child pornography), *N.J.S.A. 2C:24-4.1* (leader of a child pornography network), if the crime was committed on or after February 1, 2018, *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?

☒ [Yes] ☐ [No]

(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 \$

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 4 years and 3 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 5 years and 0 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.

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

Balance of charges

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

I to be sentenced as a third degree offense
State will be recommended a 5 year sentence
subject to NERA (85%) I shall reserve
the right to argue for less. Fines and Costs

14. Has the prosecutor promised that he or she will NOT:

- a. Speak at sentencing?
- b. Seek an extended term of confinement?
- c. Seek a stipulation of parole ineligibility?

[Yes] [No]

[Yes] [No]

[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]

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:

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 3/6/20 Defendant Lois Pivas

Defense Attorney [Signature]

Prosecutor [Signature]

[] 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.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



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, or an attempt or conspiracy to commit such crime, 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]

Conspiracy to Commit Agg Assault

(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 3 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: 3/6/20

Defendant: Luis Mivias

Defense Attorney: _____

Prosecutor: _____

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

THE STATE OF NEW JERSEY

VS.

LUIS L. RIVAS

DEFENDANT

ACCUSATION

NO. 20 - 03 - 438

having been charged upon oath, before a Magistrate in the said County of Ocean with:

CONSPIRACY TO COMMIT AGGRAVATED ASSAULT – SECOND DEGREE

And having in writing, addressed to the County Prosecutor, waived indictment and trial by jury, and said request having been duly reported and granted:

COUNT ONE

CONSPIRACY TO COMMIT AGGRAVATED ASSAULT – SECOND DEGREE

THE COUNTY PROSECUTOR of the said County of Ocean, ALLEGES that the said **LUIS L. RIVAS**, on or about October 22, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, did with the purpose of promoting or facilitating the crime of Aggravated Assault, did agree with another person that they or one or more of them would knowingly engage in conduct which would constitute the aforementioned, contrary to the provisions of N.J.S.A. 2C:5-2(a)(1) and N.J.S.A. 2C:12-1(b)(1) and against the peace of this State, the government and dignity of the same.

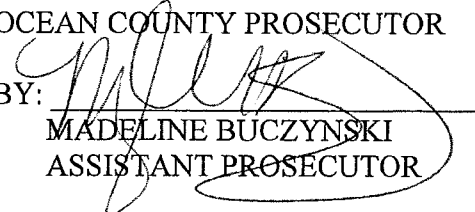
The COUNTY PROSECUTOR for the County of Ocean, FURTHER ALLEGES that in pursuance of the said conspiracy, the following OVERT ACT, among others, was committed:

1.) **LUIS L. RIVAS** and a co-conspirator did proceed to a location within the Township of Brick, exit a motor vehicle and walk to where the aggravated assault was to occur.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the Government and dignity of the same.

**BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR**

DATED: March 6, 2020

BY: 

**MADELINE BUCZYNSKI
ASSISTANT PROSECUTOR**

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

THE STATE OF NEW JERSEY

VS.

LUIS L. RIVAS

DEFENDANT

**WAIVER OF INDICTMENT
AND TRIAL BY JURY**

ACCUSATION NO. 20-03-438

TO THE COUNTY PROSECUTOR:

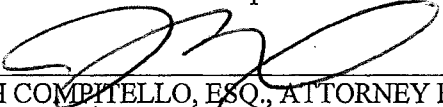
The above named defendant who is charged with one count of Conspiracy to Commit Aggravated Assault in violation of N.J.S.A. 2C:5-2(a)(1) and N.J.S.A. 2C:12-1(b)(1) being advised of the nature of the charge against him and of his right to indictment and trial by jury, hereby waives prosecution by indictment and trial by jury and requests to be tried before this Court.

Dated in Toms River, New Jersey, the 6th day of March, 2020

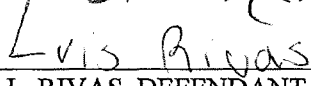


WENDEL E. DANIELS, P.J.Cr.P.

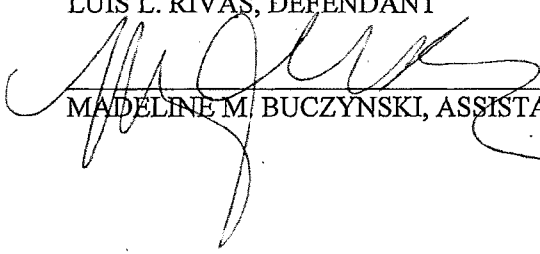
Signed and delivered in the presence of



JOSEPH COMPITELLO, ESQ., ATTORNEY FOR THE DEFENDANT



LUIS L. RIVAS, DEFENDANT



MADELINE M. BUCZYNSKI, ASSISTANT PROSECUTOR



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, OCEAN County

State of New Jersey
v.

 Last Name
RIVAS

 First Name
LUIS

 Middle Name
L

Also Known As

 Date of Birth
06/12/2003

 SBI Number
967732G

 Date(s) of Offense
10/22/2019

Date of Arrest

 PROMIS Number
20 000823-001

 Date Ind / Acc / Complt Filed
03/06/2020

Original Plea

☐ Not Guilty

☒ Guilty

 Date of Original Plea
03/06/2020

Adjudication By

☒ Guilty Plea

☐ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 03/06/2020

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
20-03-00438-A	1	CONSPIRACY - AGREE/ENGAGE IN CONDUCT CONSTITUTE A CRIME	2C:5-2A(1)	2
		AGG ASSAULT-ATTEMPT/CAUSE SBI PURP/KNOW/RECKLESS	2C:12-1B(1)	
W-2020-000180-1506	1	CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:5-1A(1)	1
		MURDER - PURPOSELY	2C:11-3A(1)	
W-2020-000180-1506	2	CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:5-1A(1)	1
		MURDER - PURPOSELY	2C:11-3A(1)	
W-2020-000180-1506	3	CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:5-1A(1)	1
(Cont...)				

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
20-03-00438-A	1	CONSPIRACY - AGREE/ENGAGE IN CONDUCT CONSTITUTE A CRIME	2C:5-2A(1)	2
		AGG ASSAULT-ATTEMPT/CAUSE SBI PURP/KNOW/RECKLESS	2C:12-1B(1)	

Sentencing Statement

It is, therefore, on 10/02/2020 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
In accordance with the plea agreement, the defendant is sentenced in the third degree 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 4 years to be served in a state juvenile facility operated by the JJC until the defendant reaches the age of 21. Pursuant to NERA, the defendant must serve 85% of the maximum term before being eligible for parole and 3 years of parole supervision after release.

Defendant is to receive Credit for Time Served of 343 days.

Defendant is assessed the fines, fees, penalties as set forth on page two hereof. The superintendent of the institution shall withdraw sufficient monies in an amount not to exceed one-third of the inmates total income as may be required to satisfy any monetary obligation ordered.

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

Any bail posted in this matter is discharged.

The following are dismissed: Counts 1, 2, 3, 4, 5, and 6 of W-2020-180-1506.

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

 Total Custodial Term
004 Years 00 Months 000 Days

 Institution Name
JUVENILE FACILITY

 Total Probation Term
00 Years 00 Months

State of New Jersey v.
RIVAS, LUIS L

S.B.I. # 967732G Ind / Acc / Compl # 20-03-00438-A

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%;"> <thead> <tr> <th></th> <th style="text-align: center;">Standard</th> <th></th> <th style="text-align: center;">Doubled</th> </tr> </thead> <tbody> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> </tbody> </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>3</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) _____ Offenses @ \$ _____		Total Lab Fee _____ \$ _____																									
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 @ \$ 75.00 Total: \$ 75.00																									
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 \$ _____ ☐		Total Financial Obligation \$ 155.00																									
Details See Page 1.																											

Time Credits

[illegible]

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

3. The risk that the defendant will commit another offense.
9. The need for deterring the defendant and others from violating the law.

The court gives moderate weight to aggravating factor #3 and heavy weight to aggravating factor #9. The court found no mitigating factors in this matter and the court is clearly convinced that the aggravating factors substantially outweigh the mitigating factors in this matter. The court adopts and incorporates as part of the reason for sentence herein all matters set forth on the record at the time of sentencing.

Attorney for Defendant at Sentencing JOSEPH J COMPITELLO	Public Defender ☐ Yes ☐ No
Prosecutor at Sentencing MADELINE BUCZYNSKI	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing WENDEL E. DANIELS	
Judge (Signature) /s WENDEL E. DANIELS	Date 10/07/2020

State of New Jersey v.
RIVAS, LUIS L

S.B.I. #967732G Ind / Acc / Complt # 20-03-00438-A

Continuation

ORIGINAL CHARGES (Cont.)

Ind / Acc / Complt	Count	Description	Statute	Degree
W-2020-000180-1506	4	MURDER - PURPOSELY CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:11-3A(1) 2C:5-1A(1)	1
W-2020-000180-1506	5	MURDER - PURPOSELY POSSESSION OF FIREARM WHILE COMMITTING CDS/BIAS CRIME	2C:11-3A(1) 2C:39-4.1A	2
W-2020-000180-1506	6	UNLAWFUL POSS WEAPON-HANDGUNS WITHOUT PERMIT	2C:39-5B(1)	2

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

October 29, 2020

Via OPRA Machine: opra+request-18103-0a7c3027@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 19003438
Ciara Williams

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report/Arrest Report, Complaint Warrant, Affidavit of Probable Cause, Preliminary Law Enforcement Incident Report, Indictment, Plea Form, Supplemental Plea Form, and Judgment of Conviction pursuant to your request.

Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq. Additionally, criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

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



Global Subject Activity Report



Detail

Print Date/Time: 10/01/2019 09:44

Login ID: rgranata

Brick Township Police Department

ORI Number: NJ0150600

Williams, Ciara Marie

Jacket: 89293 A

SSN:

Address:

Sex:

Female

Phone #:

Height:

5ft 2in

DOB:

Weight:

120.0 lbs.

Race:

Black

Eyes:

Brown

DL State:

NJ

Hair:

Black

DL#:

Physical Characteristics:

Appearance: Normal
Hair Style: Straight
Hair Length: Short
Facial Shape: Oval
Complexion: Dark
Build: Medium
Glasses: No
Teeth: Normal
Speech: Low Pitch
Voice: Low Pitch
Mustache: None
DNA Collected: Yes

Country/State of Birth: US/NJ
City of Birth: Neptune
County of Origin: Monmouth
Ethnicity: African American
Citizenship: US Citizen
Tribe: Not Applicable
Hate Group: Not Applicable
Military Service: Not Applicable
Military Discharge:
School: College - Attended
Beard: None
DNA Collected Date: 09/30/2019

Age Range: 27
Hand Preference: Right
Place of Birth: New Jersey
Occupation: Unemployed
of Dependents: 1
Primary Language: English
Second Language:
Gang Affiliation: Not Applicable
Marital Status: Single
Blood Type: Unknown
Religion: Christian
Illegal Alien: No

Known Offender:

Wants and Warrants

County of Conviction:

Identifying Clothing:

State Of Conviction:

Assaultive

Modus Operandi

Selective In Proceeds
Removed Item(s)

Crime Specialities

Shoplifting

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	Young, Lahuna										
AKA	Dickerson, Melissa										

Nicknames

Entered Date/Time	Nickname Type	Nickname
-------------------	---------------	----------

Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	Drivers License		NJ		03/31/2015
	*FBI	744853NC9			
	*SBI	479072D			

Known Associates

Relationship	Name
Accomplice	Henry, Shameka Haneefa
Accomplice	Walker, Kalisha Tychelle

School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
--------------	----------------------	------------	-------

Scars, Marks, Tattoos



Global Subject Activity Report

Detail



Print Date/Time: 10/01/2019 09:44

Login ID: rgranata

Brick Township Police Department

ORI Number: NJ0150600

Type	Location	Scar, Mark or Tattoo Detail	Description
Tattoo	TAT BACK	Cross	Cross on center of back
Tattoo	TAT L BRST	Name	James
Tattoo	TAT R SHLD	Roman Numeral	IIIX
Tattoo	TAT L SHLD	Roman Numeral	IIXIV
Tattoo	TAT R BRST	Name	London

Handicap Information

Handicap

Current Address Information

Address Type	Address	City	State	Zip

Prior Address Information

Address Type	Address	City	State	Zip	From Date	To Date

Contact Information

Date	Type	Phone	Extension
09/30/2019 18:23	Cell		
09/30/2019 18:24	Cell		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State
755472	Operator - Not Owner	09/29/2019	Passenger Car	MERCEDES	C-class	2011		NJ
747813	Operator - Not Owner	06/20/2018	Passenger Car	HONDA	Accord	2009		NJ
699570	Passenger	11/13/2014	Passenger Car	PONTIAC	Grand Prix	2004		NJ

Activity



Global Subject Activity Report



Detail

Print Date/Time: 10/01/2019 09:44
Login ID: rgranata

Brick Township Police Department
ORI Number: NJ0150600

Charge(s):
2C:11-3a(1),Murder - Purposely Cause
Death
2C:39-4d,Possession of a Weapon for
Unlawful Purpose
2C:39-5D,Possession of Other Weapons

Type : Incident

Date	Activity Reference	Description	ORI

Type : Orders Of Protection

Date	Activity Reference	Description	ORI
			0



Global Subject Activity Report



Detail

Print Date/Time: 10/01/2019 09:44
Login ID: rgranata
Type : Property

Brick Township Police Department
ORI Number: NJ0150600

Date	Activity Reference	Description	ORI

Type : Tickets & Citations

Date	Activity Reference	Description	ORI

Total Activity

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000965
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS 0	POLICE CASE #: 61939-19	
COMPLAINANT NAME: THOMAS COONEY DET. 401 CHAMBERS BRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 07/09/1992 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 479072D TELEPHONE #: () LIVSCAN PCN #: 150603005608	

THE STATE OF NEW JERSEY

VS.

CIARA M WILLIAMS

ADDRESS: 2747 HOOPER AVE 5/6

BRICK TOWNSHIP NJ 08723-0000

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 **09/29/2019** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE CRIME OF MURDER WITHIN THE JURISDICTION OF THIS COURT, BY KNOWINGLY OR PURPOSELY CAUSING THE DEATH OF, OR KNOWING OR PURPOSELY CAUSE SERIOUS BODILY INJURY RESULTING IN THE DEATH OF D.P.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A KNIFE WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST D.P.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A KNIFE DURING THE COMMISSION OF A CRIME AGAINST A PERSON UNDER CIRCUMSTANCES NOT MANIFESTLY APPROPRIATE FOR SUCH LAWFUL USE.

in violation of:

Original Charge	1) 2C:11-3A(1)	2) 2C:39-4D	3) 2C:39-5D
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: **THOMAS COONEY DET.** Date: **09/30/2019**

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**
120 HOOPER AVE
Date of Arrest: **09/30/2019** 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. **MICHELE EDGIN JUDICIAL OFFICER** **09/30/2019**
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):

ORIGINAL

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER										STATE V.									
1506		W		2019		000965		CIARA M WILLIAMS											
COURT CODE		PREFIX		YEAR		SEQUENCE NO.													
FTA Bail Information				Date Bail Set:				Amount Bail Set: \$ _____				by: _____				☐ Bail Recog. Attached			
Released on Bail (✓)		R.O.R.		Committed Default		Committed 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:								Name:											
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other	
Original Charge		1) 2C:11-3A(1)				2) 2C:39-4D				3) 2C:39-5D									
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:							
DEDRLab 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							
Related Traffic Tickets and Complaints:																			
JUDGE'S SIGNATURE _____ DATE _____										COMPLAINT - WARRANT (Court Action) Page 2 of 8 NJ/CDR2 1/1/2017									

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000965
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS 0	POLICE CASE #: 61939-19	
COMPLAINANT NAME: THOMAS COONEY DET.		DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 07/09/1992 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 479072D TELEPHONE #: () LIVSCAN PCN #: 150603005608	
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 09/29/2019 in BRICK TWP , OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE CRIME OF MURDER WITHIN THE JURISDICTION OF THIS COURT, BY KNOWINGLY OR PURPOSELY CAUSING THE DEATH OF, OR KNOWING OR PURPOSELY CAUSE SERIOUS BODILY INJURY RESULTING IN THE DEATH OF D.P. WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A KNIFE WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST D.P. WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A KNIFE DURING THE COMMISSION OF A CRIME AGAINST A PERSON UNDER CIRCUMSTANCES NOT MANIFESTLY APPROPRIATE FOR SUCH LAWFUL USE.			
in violation of:			
Original Charge	1) 2C:11-3A(1)	2) 2C:39-4D	3) 2C:39-5D
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: THOMAS COONEY DET. Date: 09/30/2019			
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 120 HOOPER AVE Date of Arrest: 09/30/2019 Appearance Date: Time: Phone: 732-504-0700 TOMS RIVER NJ 08753-0000			
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		Signature of Judge	
Date		Date	
☒ Probable cause IS found for the issuance of this complaint. MICHELE EDGIN JUDICIAL OFFICER 09/30/2019 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 8 NJ/CDR2 1/1/2017	

COMMITMENT

COMPLAINT NUMBER

1506**W****2019****000965**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
3CO-DEFTS
0POLICE CASE #:
61939-19

COMPLAINANT **THOMAS COONEY DET.**
NAME: **401 CHAMBERS BRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY

VS.

CIARA M WILLIAMSADDRESS: **2747 HOOPER AVE 5/6****BRICK TOWNSHIP****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **BROWN** DOB: **07/09/1992**DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**SOCIAL SECURITY #: [REDACTED] SBI #: **479072D**

TELEPHONE #: ()

LIVESCAN PCN #: **150603005608**

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:39-4D		3	POSS OF WEAPON
3.	2C:39-5D		4	UNLAWFUL POSS W
4.				

Commitment Reason: **Criminal Justice Reform**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: **09/30/2019**Phone: **732-504-0700****MICHELE EDGIN JUDICIAL OFFICER****09/30/2019**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000965**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: **OCEAN**

of CHARGES
3

CO-DEFTS

POLICE CASE #:
61939-19

COMPLAINANT **THOMAS COONEY DET.**
NAME: **401 CHAMBERS BRDG RD**
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY

VS.

CIARA M WILLIAMS

ADDRESS:

2747 HOOPER AVE 5/6**BRICK TOWNSHIP****NJ 08723-0000**

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **BROWN** DOB: **07/09/1992**DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**SOCIAL SECURITY #: [REDACTED] SBI #: **479072D**

TELEPHONE #: ()

LIVESCAN PCN #: **150603005608**

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:
see Appendix A

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2019

000965

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

CIARA M WILLIAMS

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

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

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: THOMAS COONEY DET. LAW ENFORCEMENT OFFICER Date: 09/30/2019

Affidavit of Probable Cause

Page 6 of 8

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. CIARA M WILLIAMS ADDRESS: 2747 HOOPER AVE 5/6 BRICK TOWNSHIP NJ 08723-0000	
1506	W	2019	000965		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 61939-19		DEFENDANT INFORMATION	
COMPLAINANT THOMAS COONEY DET. NAME: 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723				SEX: F EYE COLOR: BROWN DOB: 07/09/1992 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 479072D TELEPHONE #: () LIVESCAN PCN #: 150603005608	

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 offense Involved domestic violence.
 - DVCR was checked.
 - *Located history relevant to this offense: multiple incidents
- ODARA was completed and:
 - Confinement of the Victim at the Index Assault
 - Threat to harm or kill anyone at the Index Assault
 - Victim has a biological child with someone other than the Defendant
 - Prior violent incident against a non-domestic victim
 - Prior domestic incident of assault in a police report or criminal record (against current or former Partner or Partners child)
 - Prior non-domestic incident of assault in a police report or criminal record (against any person other than a Partner or Partners child)
 - Prior custodial sentence of 30 days or more
 - Failure on current or prior conditional release (including bail, parole, probation, or pretrial release order) or conditions of a restraining order (TRO, FRO, DORO, SORO, SASPA, stalking)
- A weapon was used against this victim, or was threatened to be used.
- The charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
 - *Stationhouse interview room camera
 - *Audio recording only
- The defendant was known to the victim as:
 - Intimate Partner
- The victim was injured and:
 - Victim transported to medical facility
- A weapon was involved in the incident:
 - Knife/Cutting Instrument
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence clothing, phones
- The defendant attempted to conceal, discard or destroy evidence, cleaned up scene
- The defendant fled, attempted flight, or resisted arrest.
 - *Other Explain left prior to police arr
- Child(ren) were present at the time of the offense and:
 - Other/Explain 8 year old was present
- The case involves a search warrant(s).
- The case involves a consent search.
- 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: multiple cell phones

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1506

W

2019

000965

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

CIARA M WILLIAMS

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: **THOMAS COONEY DET. LAW ENFORCEMENT OFFICER**

Date: **09/30/2019**

Preliminary Law Enforcement Incident Report

Page 8 of 8

7/20/2018

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

THE STATE OF NEW JERSEY :

v. :

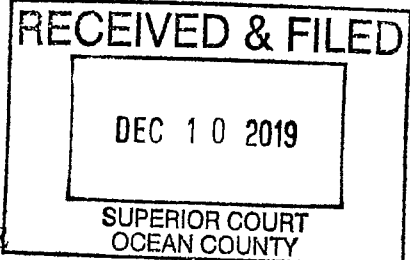
CIARA M. WILLIAMS
RAMELO C. ADONIS

Defendants :

INDICTMENT

NO:

19-12-1934



**COUNT ONE- FIRST DEGREE
MURDER**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS, on or about September 29, 2019, in the Township of Brick , County of Ocean, and within the jurisdiction of this Court, did purposely or knowingly cause the death of Dennis Power or did purposely or knowingly cause serious bodily injury to Dennis Power resulting in his death, contrary to the provision of N.J.S.A. 2C:11-3a(1) or N.J.S.A. 2C:11-3a(2), and against the peace of this State, the government and dignity of the same.

**COUNT TWO – THIRD DEGREE
POSSESSION OF A WEAPON FOR AN UNLAWFUL PURPOSE**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS on or about September 29, 2019, in the Township of Brick, in the County of Ocean aforesaid, and within the jurisdiction of this Court, did possess a certain weapon, to wit a knife, with the purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4d, and against the peace of this State, the Government and dignity of the same.

**COUNT THREE – FOURTH DEGREE
UNLAWFUL POSSESSION OF A WEAPON**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS on or about September 29, 2019, in the Township of Brick, in the County of Ocean aforesaid, and within the jurisdiction of this

Court, did knowingly possess a certain weapon, to wit a knife, under circumstances not manifestly appropriate for such lawful uses as it may have, contrary to the provisions of N.J.S.A. 2C:39-5d, and against the peace of this State, the Government and dignity of the same.

**COUNT FOUR – THIRD DEGREE
HINDERING APPREHENSION OF PROSECUTION**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that RAMELO C. ADONIS, on or about September 29, 2019, in the Township of Brick , County of Ocean, and within the jurisdiction of this Court, with the purpose to hinder the detention, apprehension, investigation, prosecution, conviction or punishment of another, Ciara M. Williams, for an offense, did provide or aid in providing a weapon, money, transportation, disguise or other means of avoiding discovery or apprehension or effecting escape, contrary to the provisions of N.J.S.A. 2C:29-3a(2) and against the peace of this State, the government and dignity of the same.

**COUNT FIVE – THIRD DEGREE
HINDERING APPREHENSION OF PROSECUTION**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that RAMELO C. ADONIS, on or about September 29, 2019, in the Township of Brick , County of Ocean, and within the jurisdiction of this Court, with the purpose to hinder the detention, apprehension, investigation, prosecution, conviction or punishment of another, Ciara M. Williams, for an offense, did suppress, by way of concealment or destruction, any evidence of the crime contrary to the provisions of N.J.S.A. 2C:29-3a(3) and against the peace of this State, the government and dignity of the same.

**COUNT SIX – THIRD DEGREE
HINDERING APPREHENSION OF PROSECUTION**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS, on or about September 29, 2019, in the Township of Brick , County of Ocean, and within the jurisdiction of this Court, with the purpose to hinder her own detention, apprehension, investigation, prosecution, conviction or punishment for an offense, did suppress by way of concealment or destruction of any evidence of the crime contrary to the provisions of N.J.S.A. 2C:29-3b(1) and against the peace of this State, the government and dignity of the same.

**COUNT SEVEN – THIRD DEGREE
CONSPIRACY TO HINDER APPREHENSION OF PROSECUTION**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS and RAMELO C. ADONIS, on or about September 29, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the crime of hindering apprehension or prosecution of Ciara M. Williams, in violation of N.J.S.A. 2C:29-3a(2), N.J.S.A. 2C:29-3a(3), and N.J.S.A. 2C:29-3b(1) did agree that they or one or more of them knowingly would engage in conduct which would constitute the aforementioned crime.

The Grand Jurors aforesaid, upon their oaths, do further present that in pursuance of the said conspiracy, the following OVERT ACTS, among others, were committed:

1. On September 29, 2019 CIARA M. WILLIAMS and RAMELO C. ADONIS did conceal and/or destroy evidence of a crime by cleaning 2747 Hooper Avenue, Building 5, Apartment 6 in an effort to evade police detection.
2. On September 29, 2019 RAMELO C. ADONIS assisted CIARA M. WILLIAMS in disposing of a white Mercedes Benz C300 and using Uber for transportation in an effort to evade police detection.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the Government and dignity of the same.

**COUNT EIGHT – FOURTH DEGREE
TAMPERING WITH EVIDENCE**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS and RAMELO C. ADONIS, on or about September 29, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, believing that an official proceeding or investigation is pending or about to be instituted, did alter, destroy, conceal or remove any article, object, record, document or thing of physical substance with purpose to impair its verity or availability in such proceeding or investigation contrary to the provisions of N.J.S.A. 2C:28-6(1) and against the peace of this State, the government and dignity of the same.

**COUNT NINE – FOURTH DEGREE
CONSPIRACY TO TAMPER WITH EVIDENCE**

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that CIARA M. WILLIAMS and RAMELO C. ADONIS, on or about September 29, 2019, in the Township of Brick, County of Ocean, and within the

jurisdiction of this Court, with the purpose of promoting or facilitating the crime of tampering with evidence, in violation of N.J.S.A. 2C:28-6(1), did agree that they or one or more of them knowingly would engage in conduct which would constitute the aforementioned crime.

The Grand Jurors aforesaid, upon their oaths, do further present that in pursuance of the said conspiracy, the following OVERT ACTS, among others, were committed:

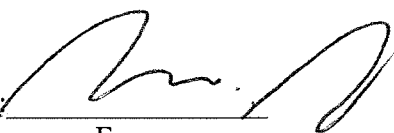
1. On September 29, 2019 CIARA M. WILLIAMS and RAMELO C. ADONIS did destroy, conceal and/or remove evidence of a crime by cleaning 2747 Hooper Avenue, Building 5, Apartment 6 with the purpose to impair the items availability in an investigation.
2. On September 29, 2019 RAMELO C. ADONIS assisted CIARA M. WILLIAMS in disposing of a white Mercedes Benz C300 with the purpose to impair the items availability in an investigation.

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

Dated: 12.10.19

By: Kristin L. Pressman
KRISTIN L. PRESSMAN
Assistant Prosecutor

ENDORSED: 

Foreperson

File #
19003438

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

CIARA M. WILLIAMS
RAMELO C. ADONIS

INDICTMENT NO.

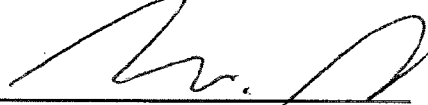
19-12-1934

INDICTMENT FOR

**MURDER
POSSESSION OF A WEAPON FOR AN UNLAWFUL PURPOSE
UNLAWFUL POSSESSION OF A WEAPON
HINDERING APPREHENSION OR PROSECUTION
CONSPIRACY TO HINDER APPREHENSION OR PROSECUTION
TAMPERING WITH EVIDENCE
CONSPIRACY TO TAMPER WITH EVIDENCE**

BRADLEY D. BILLHIMER
Ocean County Prosecutor

A TRUE BILL


Foreperson

Bail

Condition of Bail

CW: Eligible defendant under Bail Reform
detained pending appeal

RA: Summons

**SUPERIOR COURT
COUNTY OF OCEAN**

*****ARREST AFFIDAVIT*****

- A. On Sunday, September 29, 2019, at 1321 hours, Brick Township Police responded to Ocean Medical Center, in Brick Township, New Jersey, subsequent to a phone call from the hospital regarding a black male with apparent injuries to the chest, located at that facility. Police arrived at approximately 1329 hours and found Dennis Power (DOB: 1/5/1984) deceased, and learned that he was pronounced dead by Dr. Ian Hughes, of Ocean Medical Center, at approximately 1330 hours.
- B. Police on scene were able to ascertain that a black female arrived at the emergency department driving a white Mercedes C30 bearing NJ registration [REDACTED] with the decedent in the passenger seat. Staff responded to the vehicle and found the decedent, Dennis Power, unconscious but breathing inside of the vehicle. Power was rushed inside the facility and lifesaving efforts were attempted and met with negative results.
- C. The female, driving the decedent in the Mercedes C30, left prior to the arrival of law enforcement and did not provide any statements to the police. It was learned that she was the fiancé of the decedent, later identified as Ciara Williams (DOB 07/09/1993). It was also learned that she had a juvenile with her at the hospital.
- D. Police ascertained the victim's address through previous law enforcement contact and responded to the Brick Gardens Apartments at 2747 Hooper Avenue, Building 5, Apartment 6, in Brick Township to conduct a wellbeing check. Patrol arrived at the aforementioned address and observed what appeared to be red staining, consistent with blood, in an empty parking space outside of the residence. Apparent blood was also observed on the driver side door of a pick-up trucked located adjacent to the aforementioned parking space. Police made entry into the apartment to ensure that no other parties were injured inside of the residence. The apartment was secured and found to be unoccupied. The apartment was subsequently sealed pending the application of a Court authorized search warrant.
- E. A Lexus GS300 bearing NJ registration [REDACTED] was located parked at The Brick Gardens Apartments near building 5 Apartment 6 and was found to be a vehicle commonly operated by the victim, Dennis Power through a DMV lookup. [REDACTED]

- F. The victim's cellular device was recovered by police at the hospital from a bag containing property belonging to the victim. The device is described as a Black iPhone with grey backing and a black Otter Box case. While at the hospital, Detectives spoke

with Nyya Williams (DOB: 3/5/1997). Ms. Williams stated that she responded to the hospital after speaking with Ciara Williams via cell phone. Nyya Williams stated that Ciara Williams told her that the victim was shot. While speaking with Ciara, Nyya stated that she heard a male she knows as "Filth" in the background. "Filth" operates telephone facility [REDACTED]. Ciara Williams was not at the hospital when Nyya arrived. Nyya Williams stated that Ciara Williams operates telephone facility [REDACTED]. Nyya Williams's cellular facility was taken from her person by police and secured pending Court authorized search authorization, the cellular phone secured from Nyya Williams is described as a white and rose gold iPhone with a cracked screen and "Princess Nyi" on the phone case.

- G. On September 29, 2019 at 1859 hours, Detective Denis Mitchell of the Homicide Squad contacted the Honorable Judge Wendel Daniels P.J.Cr.P. and provided pertinent information related to the facts of the case as they were known at that time. Judge Daniels subsequently authorized the physical search of 2747 Hooper Ave Building 5 Apartment 6, the white Mercedes C30 bearing NJ registration [REDACTED], the Lexus GS300 bearing NJ registration [REDACTED], the rose gold iPhone with the cracked screen belonging to Nyya Williams, and the iPhone with the Otter Box case belonging to the victim. Judge Daniels also authorized the "ping" of the cellular telephone facility number assigned to Ciara Williams [REDACTED]. A response from T-Mobile pursuant to said Warrant indicated that the device was disabled as of August 6, 2019 for nonpayment.
- H. On Sunday, September 29, 2019 at 1952 hours, Detective John Carroll of the Homicide Squad and Detective Thomas Cooney of Brick Police conducted a taped statement with Ramelo Adonis at the Brick Township Police Department. In brief, Adonis advised that he was contacted by Ciara Williams that day and asked to help clean up the scene. Adonis related that she was hysterically crying and asked him to come to the residence at the Brick Gardens Apartments. Adonis arrived and was told by Ciara Williams that she stabbed the victim, Dennis Power, after the victim was "beating up on her". He was able to provide a second cellular phone number for Ciara Williams not known to law enforcement prior to that conversation. That telephone facility number was [REDACTED]. Said number was found to be on the cellular device of Nyya Williams with an associated contact name of Ciara.
- I. A telephonic search warrant was thereafter requested and approved by the Honorable Wendel E. Daniels, P.J.Cr.P. for a "ping" of the cellular telephone facility [REDACTED]. A response from the carrier indicated that the cellular device was not turned on.
- J. Following the statement of Adonis, Detectives Carrol, Uricks, Cooney, and Schepper responded to [REDACTED] to make contact with Ciara Williams's mother. Upon arrival, detectives were met by Kim Williams who identified herself as the mother of Ciara Williams. In short, Ms. Williams stated that she responded to Ciara's residence at 2747 Hooper Avenue after receiving a phone call from Ciara who related that she was in trouble. Upon arrival at the Brick Gardens Apartment Complex, Ms. Williams was turned away by police. Ms. Williams related that she subsequently received a call from Ciara asking her to meet at the Ichiban located at the Ocean County Mall. When Ms. Williams arrived at the mall, Ciara walked out of the mall with her

- daughter, L.W. Ciara turned L.W. over to Ms. Williams and Ciara walked back into the mall entrance. Ms. Williams brought L.W. back to her residence in Neptune Township.
- K. Subsequent to speaking with Ms. Williams, her cellular device, described as a Samsung cell phone with gray backing and a cracked screen, was taken off of her person. Ms. Williams was found to be operating telephone facility [REDACTED]
- L. On Monday, September 30, 2019, Det. Lindsay Woodfield, of the Ocean County Prosecutor's Office, conducted a digitally recorded statement from juvenile L.W. L.W. is the daughter of the Ciara Williams, the suspect. During the recorded interview, L.W. advised that on September 29, 2019, while at her residence, the decedent threw a shoe at the suspect, which made her very upset. According to L.W., the suspect entered the kitchen and she heard the decedent saying "ow ow ow". She then heard the suspect state "please stop Dennis, I'm sorry." L.W. advised that she and her mother drove the decedent to the hospital in her mother's vehicle immediately following the incident.
- M. L.W. advised that the Ciara Williams may have been wearing a pink outfit or a blue dress. L.W. observed blood on the suspect's shoulder. L.W. advised that the suspect called a "friend" and asked said "friend" "if she should get rid of it." She further advised that Ciara Williams cleaned the residence with bleach. L.W. advised there is blood on the walls upstairs by the bedroom. Additionally, L.W. advised that her mom dropped her car at a house by a vegetable stand, near the woods.
- N. When asked, L.W. advised that she and the suspect took an Uber to the Ocean County Mall where they shared a cookie. L.W. then met with her grandmother Kim Miller.
- O. During the course of the interview, L.W. advised that her grandmother told her that Mr. Dennis (the decedent) died, which I confirmed. She then stated "She knew what she did and wanted to do it," "it's all her fault." She further stated "She's gonna be really upset and she's gonna go to jail." I asked L.W. why and she stated "she did it and it was all her fault."
- P. On Monday, September 30, 2019, Det. Tara Schinder, of the Brick Township Police Department, spoke with a representative from Uber Technologies, Inc., and inquired as to any customer's dropped off at 1201 Hooper Avenue in Toms River, New Jersey on September 29, 2019 between 1300 hours and 1530 hours. Det. Schinder received the names and trip information for all customers dropped at that location pursuant to said request. A review of the information yielded that an Uber trip was requested and fulfilled for a customer by the name of Romelo Adonis. Said trip originated at 1309 Paris Court in Lakewood Township on September 29, 2019 at approximately 1418 hours and concluded at 1201 Hooper Avenue in Toms River at approximately 1441 hours.
- Q. On Monday, September 30, 2019 at 1630 hours, Ciara arrived at the Ocean County Prosecutors Office, Major Crime Unit with her attorney's Terrance Turnbach and Al Kenny. At this time, we were advised that Ciara would not be giving a statement. Ciara was then placed under arrest at 1746 hours and transported to Brick Township Police Department in a marked cruiser. Ciara was charged with one (1) count of Murder, one (1) count of Possession of a Weapon and one (1) count of Possession of a Weapon for Unlawful Purpose.

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



New Jersey Judiciary Plea Form

County OceanProsecutor File Number 19003438Defendant's Name: Ciara Williamsbefore Judge: Gizinski

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
					Time	Fine	
19-12-1934	I	Murder (in violation of 2C:11-3) as	2nd	Max	10 years	\$150,000	\$100
		amended to Manslaughter (in		Max			
		violation of 2C:11-4(b))		Max			
				Max			
				Max			
Your total exposure as the result of this plea is:				Total	10 years	\$150,000	\$100

**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 guilty **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. 3:28-6(d)*)? ☒ 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

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 Office Assessment? ☒ Yes ☐ No
- c. You must pay a minimum Victims of Crime Compensation Office 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(3) (causes or permits child to engage in sexual act that is to be photographed or exhibited), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(4) (photographs or films a child in sexual act), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography), N.J.S.A. 2C:24-4.1 (leader of a child pornography network), if the crime was committed on or after February 1, 2018, 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 \$ _____

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 30.6 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 8 years and 6 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.
- 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
19-12-1934	2,3,6,7,8	Unlawful Poss. Weapon (3rd); Poss of Weapon for Unlaw Purp (4th); Hind
	,9	-ing (3rd); Conspiracy to Hinder (3rd); Tampering (4th); Conspiracy to Tamper (4th)

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

2nd Degree to be sentenced in the Third Degree Range (3-5yrs) subject to the No Early Release Act. State to Recommend 5years NJSP. Defense will argue for 3yrs NJSP.

14. Has the prosecutor promised that he or she will **NOT**:
- Speak at sentencing? ☐ Yes ☒ No
 - Seek an extended term of confinement? ☒ Yes ☐ No
 - 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
- 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
 - 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
 - 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
 - Would you like the opportunity to do so? ☐ Yes ☐ No
 - 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, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, 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, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, 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
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:

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 6/30/20 Defendant s/ Aaron Williams

Defense Attorney s/ [Signature]

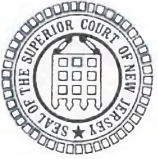
Prosecutor s/ Mara Brater

- ☐ 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.

Defendant waiving right to assert defenses at trial,
specifically including justification of self-defense.

CW
Aaron Williams (PH)

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, active credit card number or military status.



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, or an attempt or conspiracy to commit such crime, 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
Manslaughter, 2nd Degree, in violation of NJSA 2C:11-4(b)
 (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 ☒ Yes ☐ No
 must impose a 3 year term of parole supervision and that term will begin as
 soon as you complete the sentence of incarceration?
 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 ☒ Yes ☐ No
 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?

Date: 6/30/20 Defendant: s/ Dora Williams
 Defense Attorney: s/ J.R. [Signature]
 Prosecutor: s/ Mara Brater



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, OCEAN County

State of New Jersey
v.

 Last Name
WILLIAMS

 First Name
CIARA

 Middle Name
M

Also Known As

 Date of Birth
07/09/1992

 SBI Number
479072D

 Date(s) of Offense
09/29/2019

Date of Arrest

 PROMIS Number
19 003438-001

 Date Ind / Acc / Complt Filed
12/10/2019

Original Plea

☒ Not Guilty

☐ Guilty

 Date of Original Plea
01/13/2020

Adjudication By

☒ Guilty Plea

☐ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 07/02/2020

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-12-01934-I	1	MURDER - KNOWINGLY	2C:11-3A(2)	1
19-12-01934-I	2	POSS OF WEAPON FOR UNLAWFUL PURPOSE-OTHER WEAPON	2C:39-4D	3
19-12-01934-I	3	UNLAWFUL POSS WEAP - OTHER WEAPONS	2C:39-5D	4
19-12-01934-I	6	HINDERING-ONESELF-HIDE EVID UNDERLY 2 DEG+ OR 2C:11-5.1	2C:29-3B(1)	3
19-12-01934-I	7	CONSPIRACY - AGREE/ENGAGE IN CONDUCT CONSITUTE A CRIME	2C:5-2A(1)	3
		HINDERING-PROVIDE AID TO ANOTHER	2C:29-3A(2)	
19-12-01934-I	8	TAMPERING WITH PHYSICAL EVIDENCE-ALTER/DESTROY OBJECT	2C:28-6(1)	4

(Cont...)

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-12-01934-I	AMENDED 1	MANSLAUGHTER - COMMITTED RECKLESSLY	2C:11-4B(1)	2

Sentencing Statement

It is, therefore, on 10/21/2020 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
On Amended Count 1 the defendant is sentenced as a 3rd degree offender: The defendant is committed to the custody of the Commissioner of the Department of Corrections for a term of 4 years. Pursuant to NERA, the defendant must serve 85% of the maximum term before being eligible for parole and 3 years of parole supervision upon release.

Defendant is entitled to 387 days jail credit as listed on page 3.

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

Defendant is to pay restitution in the amount of \$11,270.98 payable to VCCO, 50 Park Place, Newark, NJ 07102 - Claim #106317.

Defendant is assessed the fines, fees, penalties as set forth on page two hereof.

Any bail posted in this matter is discharged.

The following is dismissed: Counts 2, 3, 6, 7, 8 and 9 of Indictment 19-12-01934.

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

 Total Custodial Term
004 Years 00 Months 000 Days

 Institution Name
CARE COMMISS/CORR

 Total Probation Term
00 Years 00 Months

State of New Jersey v.
WILLIAMS, CIARA M

S.B.I. # 479072D Ind / Acc / Compl # 19-12-01934-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%;"> <thead> <tr> <th></th> <th style="text-align: center;">Standard</th> <th></th> <th style="text-align: center;">Doubled</th> </tr> </thead> <tbody> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td></td> <td style="text-align: center;">_____ @ \$</td> </tr> </tbody> </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>3</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) _____ Offenses @ \$ _____		Total Lab Fee _____ \$ _____																									
VCCO Assessment (N.J.S.A. 2C:43-3.1)																											
Counts	Number	@	Amount																								
1	2	@	\$ 50.00																								
_____	_____	@	\$ _____																								
_____	_____	@	\$ _____																								
_____	_____	@	\$ _____																								
Total VCCO Assessment \$ 100.00																											
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 @ \$ 75.00 Total: \$ 75.00																									
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) ☒ \$ 100.00		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 \$ 11,270.98 ☐		Total Financial Obligation \$ 11,575.98																									
Details The superintendent of the institution shall withdraw sufficient monies in an amount not to exceed one-third of the inmates total income as may be required to satisfy any assessment, penalty, restitution, or fine ordered.																											
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	Eye Color																								
		☐ M ☐ F																									

Time Credits

Time Spent in Custody	Gap Time Spent in Custody	Prior Service Credit
R. 3:21-8	N.J.S.A. 2C:44-5b(2)	
Date: From - To	Date: From - To	Date: From - To
09/30/2019 - 10/20/2020	-	-
-	-	-
-	-	-
-	-	-
-	Total Number of Days _____	-
-		-
-	Rosado Time	-
-	Date: From - To	-
-	-	-
-	-	-
-	-	-
-	-	-
-	Total Number of Days _____	-
Total Number of Days 387		Total Number of Days

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

3. The risk that the defendant will commit another offense.

9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

4. There were substantial grounds tending to excuse or justify the defendant's conduct, though failing to establish a defense.

11. The imprisonment of the defendant would entail excessive hardship to himself/herself or his/her dependents.

The Court gives aggravating factors 3 heavy weight and 9 very heavy weight.

The Court gives mitigating factors 4 and 11 slight weight.

The Court is clearly convinced that the aggravating factors substantially outweigh the mitigating factors.

The Court adopts and incorporates as part of the reasons for sentence herein all matters set forth on the record at the time of sentencing.

Attorney for Defendant at Sentencing FRANCIS R HODGSON	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing KRISTIN PRESSMAN	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Rochelle Gizinski	
Judge (Signature) /s Rochelle Gizinski	Date 10/27/2020

State of New Jersey v.
WILLIAMS, CIARA M

S.B.I. #479072D Ind / Acc / Compl # 19-12-01934-I

Continuation

ORIGINAL CHARGES (Cont.)

Ind / Acc / Compl	Count	Description	Statute	Degree
19-12-01934-I	9	CONSPIRACY - AGREE/ENGAGE IN CONDUCT CONSTITUTE A CRIME TAMPERING WITH PHYSICAL EVIDENCE-ALTER/DESTROY OBJECT	2C:5-2A(1) 2C:28-6(1)	4