

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

June 23, 2021

Via OPRA Machine: opra+request-24117-bba65299@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 19000899 – Daniel Kenny

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report, Complaint Warrants, Affidavits, Preliminary Law Enforcement Incident Reports, Accusation, Waiver of Indictment, Judgment of Dismissal and Criminal Information Form, pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq. Criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

Please be advised that there are no responsive documents pursuant to your request for Arrest Reports, Indictments and Plea Forms.

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

Prestia , Donna

From: Khajezadeh, Dina
Sent: Saturday, June 19, 2021 11:27 PM
To: Prestia , Donna
Subject: FW: OPRA request - Case reports

Sent from my Verizon, Samsung Galaxy smartphone

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

From: Resident <opra+request-24117-bba65299@requests.opramachine.com>
Date: 6/19/21 10:45 PM (GMT-05:00)
To: "Khajezadeh, Dina" <DKhajezadeh@co.ocean.nj.us>
Subject: OPRA request - Case reports

Dear Ocean County Prosecutor's Office,

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

Records requested:

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

Nkosi Jones (charged 6/18/21) 21001625

Daniel Kenny (Case # 19000899)

Anthony Lewis (Case # 19001158)

Jennifer Deitzer (Case # 19001448)

Brooks Vetek (Case # 19001450)

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-24117-bba65299@requests.opramachine.com

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

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E,1,bTx9xYd3vvZzVJtS5F6OawZWpb0059sFozXMwo4VgsiM-KaqT-iy8PexSFLkPE1h5li3Irl-cbnIRFJKowfy8rN3y7OFFMFhlxUeL3sE9Xnbm6Mdn5kdg.,&typo=1

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



Global Subject Activity Report

Detail



Print Date/Time: 03/18/2019 08:21

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Kenny, Daniel Ian Jacket: 800102018 A SSN:

Address: 716 MIDSTREAMS RD
BRICK
TOWNSHIP
NJ 08724

Sex: Male

Phone #: [REDACTED]

Height: 6ft 1in

DOB: 02/03/1980

Weight: 220.0 lbs.

Race: White

Eyes: Blue

DL State: NJ

Hair: Brown

DL#: [REDACTED]

Physical Characteristics:

Appearance: Normal
Hair Style: Straight
Hair Length: Short
Facial Shape: Oval
Complexion: Light
Build: Medium
Glasses: No
Teeth: Normal
Speech: Normal
Voice: Medium Pitch

Country/State of Birth: US/NJ
City of Birth: Brick
County of Origin: Ocean
Ethnicity: White
Citizenship: US
Tribe: Not Applicable
Hate Group: Not Applicable
Military Service: Not Applicable
Military Discharge:
School: High School -
Diploma
Goatee w
mustache

Age Range: 38
Hand Preference: Right
Place of Birth: New Jersey
Occupation: Employed
of Dependents: 0
Primary Language: English
Second Language:
Gang Affiliation: Not Applicable
Marital Status: Single
Blood Type: Unknown

Mustache: Heavy

Beard:

Religion: None

Known Offender: No

DNA Collected Date:

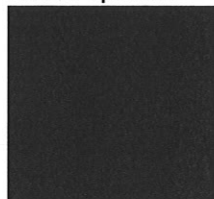
Illegal Alien: No

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
------	-------	-----	------	-----	-----	------	------	-----	--------	--------	-------

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	[REDACTED]	NJ		02/28/2020
	*FBI	305104WB1			
	*SBI	767010C			

Known Associates

Relationship	Name
Accomplice	Kolesar, Christopher David

School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
Employer	DTM Electric		



Global Subject Activity Report

Detail

Print Date/Time: 03/18/2019 08:21
Login ID: jsisco

Brick Town:
ORI Nu

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
Home	716 MIDSTREAMS RD	BRICK TOWNSHIP	NJ	08724

Prior Address Information

Address Type	Address	City	State	Zip	From Date
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Contact Information

Date	Type	Phone	Extension
03/31/2010 16:49	Home		
12/14/2008 14:45	Home		
10/31/2018 15:57	Home		
06/05/2013 14:31	Cell		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration
717616	Operator - Not Owner	12/16/2015	Passenger Car	DODGE	Ram 1500	1995	
717584	Suspect - Not Owner	12/16/2015	Truck	DODGE	Ram 1500	1995	

Activity

Type : Accident

Date	Activity Reference	Description
06/24/2011 22:00	7918	NJ Accident Type: Automobile - 6 Not Applicable Charge(s):
06/24/2011 22:00	7918	NJ Accident Type: Automobile - Vehicle Owner Charge(s):
02/11/2018 18:35	2018-00009115	Accident Type: 03 Right Angle - Subject Charge(s):

Page: 3 of 9



Global Subject Activity Report



Detail

Print Date/Time: 03/18/2019 08:21
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]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

03/16/2019 04:25 2019-00016342 Incident Type : Burglary, Role : Arrestee NJ0150600
Charge(s):

Type : [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
Type : [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



Global Subject Activity Report



Detail

Print Date/Time: 03/18/2019 08:21
Login ID: jsisco
Type : Property

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

03/16/2019 00:00 Case: 2019-00016342 Property Type: Drugs; Property Code(s): NJ0150600
Evidence / Seized
Charge(s):

Type : [REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]



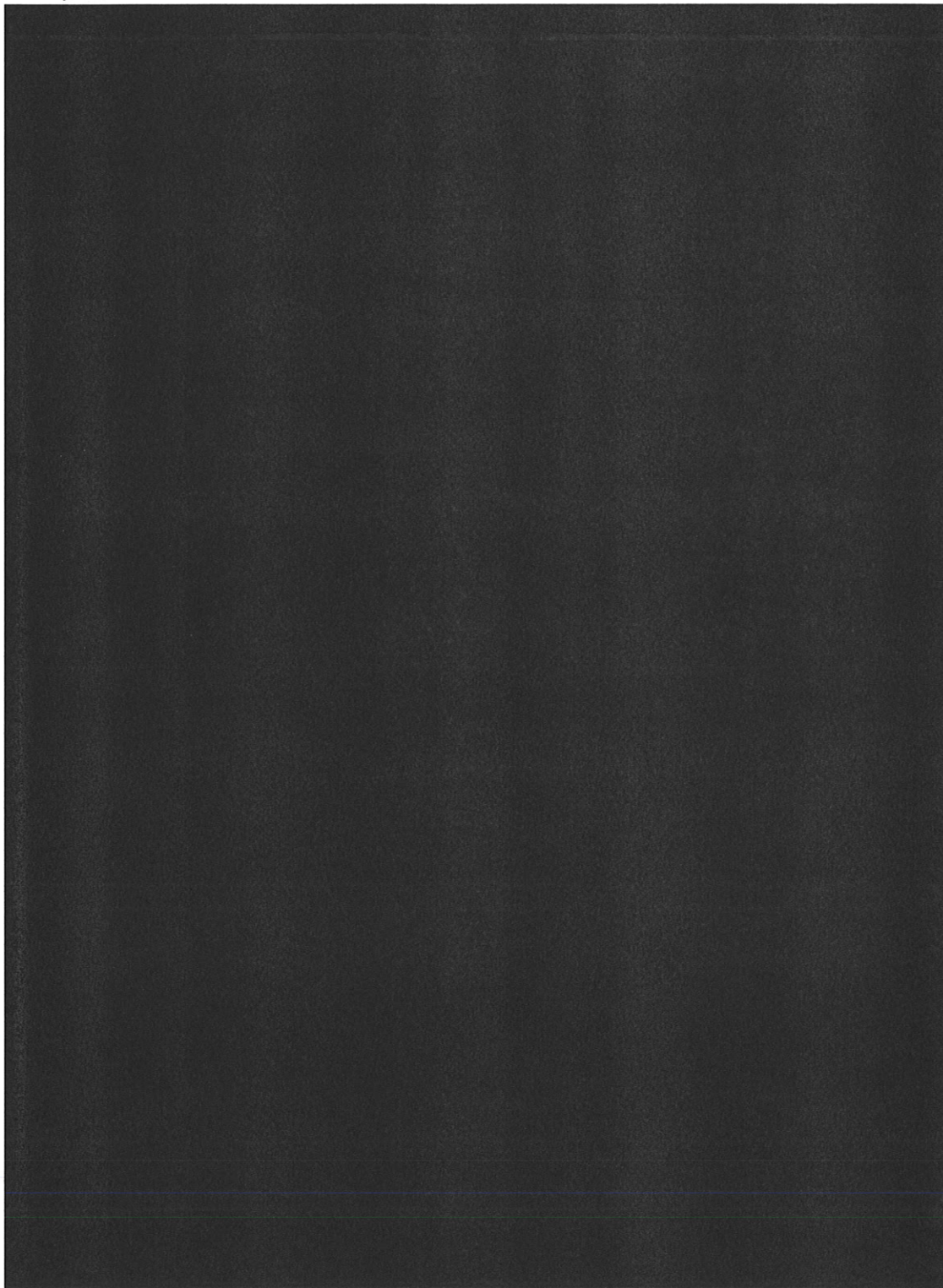
Global Subject Activity Report

Detail



Print Date/Time: 03/18/2019 08:21
Login ID: jsisco

Brick Township Police Department
ORI Number: NJ0150600



COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2019****000291**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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

ADDRESS:

716 MIDSTREAMS ROAD

BRICK

NJ 08724-0000

of CHARGES
5

CO-DEFTS

POLICE CASE #:
16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLUE

DOB: 02/03/1980

DRIVER'S LIC. #:

DL STATE: NJ

SOCIAL SECURITY #:

SBI #: 767010C

TELEPHONE #:

LIVESCAN PCN #: 150603004969

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 03/16/2019 in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, GRACO CAR SEAT AND DELL INSPIRON E1705 LAPTOP COMPUTER, VALUED AT OVER \$800 BELONGING TO RICHARD HOOYMAN WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY REMOVING THE PROPERTY FROM THE OWNER'S TRAILOR AND DEPARTING THE LOCATION

WITHIN THE JURISDICTION OF THIS COURT, COMMIT CRIMINAL MISCHIEF BY PURPOSELY OR KNOWINGLY DAMAGING PROPERTY BELONGING TO WAYNE PODESTA, CAUSING PECUNIARY LOSS IN THE AMOUNT OF \$200.00, SPECIFICALLY BY BREAKING THE VICTIM'S MAILBOX POST AND FENCE.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT ASSAULT BY PURPOSELY, KNOWINGLY OR RECKLESSLY CAUSING BODILY INJURY TO RYAN PODESTA SPECIFICALLY BY ATTEMPTING TO FORCE HIMSELF INTO THE VICTIM'S RESIDENCE, STRIKING HIM WITH THE DOOR, RESULTING in violation of:

Original Charge

1) 2C:20-3A

2) 2C:17-3A(1)

3) 2C:12-1A(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: **JOHN M GANNAIO PTL.**Date: **03/16/2019**

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: **03/16/2019** 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. **JOSEPH GRISANTI JUDICIAL OFFICER** 03/16/2019

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

000291

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.

DANIEL I KENNY

IN INJURY TO HIS LEFT INDEX FINGER

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A CONTROLLED DANGEROUS SUBSTANCE, BELIEVED TO BE COCAINE, SPECIFICALLY BY CONTAINING AN UNKNOWN WHITE POWDERY SUBSTANCE INSIDE OF A EXCEDRIN BOTTLE

WITHIN THE JURISDICTION OF THIS COURT, USE OR POSSESS WITH INTENT TO USE DRUG PARAPHERNALIA TO INGEST AND INTRODUCE INTO THE HUMAN BODY A CONTROLLED DANGEROUS SUBSTANCE OR CONTROLLED SUBSTANCE ANALOG, SPECIFICALLY BY POSSESSING TWO PLASTIC STRAWS WHICH CONTAIN A WHITE POWDERY SUBSTANCE

Original Charge

4) 2C:35-10A(1)

5) 2C:36-2

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1506**W****2019****000291****STATE V.****DANIEL I KENNY****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:20-3A**2) **2C:17-3A(1)**3) **2C:12-1A(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:**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

1506**W****2019****000291****STATE V.****DANIEL I KENNY**

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

4) 2C:35-10A(1)

5) 2C:36-2

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
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- D – Dismissed- Prosecutor Discretion
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- S – Disposed at Superior
- W – Dismissed-False ID

Related Traffic Tickets and Complaints:**COMPLAINT - WARRANT (Court Action)**

JUDGE'S SIGNATURE _____

DATE _____

Page 4 of 10

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2019****000291**

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
5

CO-DEFTS

POLICE CASE #:
16342-19COMPLAINANT
NAME:

JOHN

M GANNAIO PTL.

ADDRESS:

716 MIDSTREAMS ROAD

BRICK

NJ 08724-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLUE

DOB: 02/03/1980

DRIVER'S LIC. #:

DL STATE: NJ

SOCIAL SECURITY #:

SBI #: 767010C

TELEPHONE #:

LIVESCAN PCN #: 150603004969

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 03/16/2019 in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, GRACO CAR SEAT AND DELL INSPIRON E1705 LAPTOP COMPUTER, VALUED AT OVER \$800 BELONGING TO RICHARD HOOYMAN WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY REMOVING THE PROPERTY FROM THE OWNER'S TRAILOR AND DEPARTING THE LOCATION

WITHIN THE JURISDICTION OF THIS COURT, COMMIT CRIMINAL MISCHIEF BY PURPOSELY OR KNOWINGLY DAMAGING PROPERTY BELONGING TO WAYNE PODESTA, CAUSING PECUNIARY LOSS IN THE AMOUNT OF \$200.00, SPECIFICALLY BY BREAKING THE VICTIM'S MAILBOX POST AND FENCE.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT ASSAULT BY PURPOSELY, KNOWINGLY OR RECKLESSLY CAUSING BODILY INJURY TO RYAN PODESTA SPECIFICALLY BY ATTEMPTING TO FORCE HIMSELF INTO THE VICTIM'S RESIDENCE, STRIKING HIM WITH THE DOOR, RESULTING in violation of:

Original Charge

1) 2C:20-3A

2) 2C:17-3A(1)

3) 2C:12-1A(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: **JOHN M GANNAIO PTL.**Date: **03/16/2019**

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: **03/16/2019**

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. **JOSEPH GRISANTI JUDICIAL OFFICER** **03/16/2019**

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****000291**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**DANIEL I KENNY**

IN INJURY TO HIS LEFT INDEX FINGER

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A CONTROLLED DANGEROUS SUBSTANCE, BELIEVED TO BE COCAINE, SPECIFICALLY BY CONTAINING AN UNKNOWN WHITE POWDERY SUBSTANCE INSIDE OF A EXCEDRIN BOTTLE

WITHIN THE JURISDICTION OF THIS COURT, USE OR POSSESS WITH INTENT TO USE DRUG PARAPHERNALIA TO INGEST AND INTRODUCE INTO THE HUMAN BODY A CONTROLLED DANGEROUS SUBSTANCE OR CONTROLLED SUBSTANCE ANALOG, SPECIFICALLY BY POSSESSING TWO PLASTIC STRAWS WHICH CONTAIN A WHITE POWDERY SUBSTANCE

Original Charge

4) 2C:35-10A(1)

5) 2C:36-2

Amended Charge

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

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1506**W****2019****000291**

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
5

CO-DEFTS

POLICE CASE #:
16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***DANIEL I KENNY**

ADDRESS:

716 MIDSTREAMS ROAD**BRICK****NJ 08724-0000**

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLUE

DOB: 02/03/1980

DRIVER'S LIC. #:

DL STATE: NJ

SOCIAL SECURITY #:

SBI #: 767010C

TELEPHONE #:

()

LIVESCAN PCN #: 150603004969

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:20-3A			4	THEFT BY UNLAWF
2.	2C:17-3A(1)			D	CRIMINAL MISCHI
3.	2C:12-1A(1)			D	SIMPLE ASSAULT-
4.	2C:35-10A(1)		09	3	POSS CDS/ANALOG

Commitment Reason: Criminal Justice Reform

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

in the county of OCEAN

TOMS RIVER

NJ 08753-0000

Date of Arrest: 03/16/2019

Phone: 732-244-2121

JOSEPH GRISANTI JUDICIAL OFFICER03/16/2019

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000291**

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 5
CO-DEFTS
POLICE CASE #: 16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***DANIEL I KENNY**

ADDRESS: 716 MIDSTREAMS ROAD
BRICK NJ 08724-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLUE DOB: 02/03/1980
DRIVER'S LIC. #. [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: 767010C
TELEPHONE #: ()
LIVESCAN PCN #: 150603004969

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:

WHEN I ARRIVED ON SCENE I OBSERVED THE DEFENDANT ON THE VICTIM'S PROPERTY. THE VICTIM ADVISED THAT THE SUSPECT WAS ATTEMPTING TO BREAK INTO HIS RESIDENCE AND DAMAGED HIS FENCE AND MAILBOX POST. ADDITINOALLY THE VICTIM INJURED HIS LEFT INDEX FINGER WHEN THE DEFENDANT ATTEMPTD TO FORCE HIS WAY INTO THE VICTIM'S RESIDENCE. THE VICTIM FURTHER INFORMED THAT THE SUSPECT DROPPED TWO ITEMS THAT WERE LATER IDENTIFIED AS STOLEN PROPERTY ON HIS FRONT PORCH. DURING A CANVAS OF THE AREA THE SECOND VICTIM WAS LOCATED AND ADVISED THE PROPERTY WAS TAKEN FROM HIS UNLOCKED TRAILOR. ADDITIONALLY THE DEFENDFANT WAS FOUND TO BE IN POSSESSION OF A CONTROLLED AND DANGEROUS SUBSTANCE AND DRUG PARAPHENELLA WHEN HE WAS SEARCHED.

Affidavit of Probable Cause**Page 8 of 10**

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000291**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****DANIEL I KENNY**

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

THE VICTIM IDENTIFIED THE DEFENDANT AND ADVISED WHAT THE DEFENDANT DAMAGED. THE VICTIM DISPLAYED A BLOODY INDEX FINGER AND ADVISED HIS INJURY HAPPENED WHILE THE DEFENDANT WAS ATTEMPTING TO ENTER HIS RESIDENCE ILLEGALLY. THE SECOND VICTIM IDENTIFIED HIS STOLEN PROPERTY THAT THE DEFENDANT EXERCISED CONTROL OVER.

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

THE VICTIM HAD A MINOR INJURY TO HIS FINGER AND WAS BLEEDING

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: JOHN M GANNAIO PTL. LAW ENFORCEMENT OFFICER

Date: 03/16/2019

Affidavit of Probable Cause**Page 9 of 10**

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. DANIEL I KENNY	
1506	W	2019	000291		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	ADDRESS: 716 MIDSTREAMS ROAD BRICK NJ 08724-0000	
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN					
# of CHARGES 5	CO-DEFTS	POLICE CASE #: 16342-19		DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/03/1980 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 767010C TELEPHONE #: [REDACTED] () LIVSCAN PCN #: 150603004969	
COMPLAINANT JOHN M GANNAIO PTL. 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 complaining officer personally observed the offense.
- The charge was based on the observations/statements made by an eyewitness(es).
- The defendant made statements/admissions.
 - It was recorded using:
 - *Body-Worn Camera
- The defendant was a stranger to the victim.
- The victim was injured and:
 - Victim refused treatment
- Physical evidence was seized/recovered:
 - Stolen Property, Approximate Value \$ 800.00
 - CDS:
 - *Cocaine
 - Drug Paraphernalia
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is LAPTOP COMPUTER & CARSEAT
- 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 CDS and the evidence was recovered via:
 - Pedestrian Stop

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: JOHN M GANNAIO PTL. LAW ENFORCEMENT OFFICER Date: 03/16/2019

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2019****000294**

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
2

CO-DEFTS

POLICE CASE #:
16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERS BRIDGE RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***DANIEL I KENNY**

ADDRESS: 716 MIDSTREAM ROAD
BRICK NJ 08724-0000

BRICK NJ 08724-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLUE

DOB: 02/03/1980

DRIVER'S LIC. #.

DL STATE:

SOCIAL SECURITY #: [REDACTED]

SBI #: 767010C

TELEPHONE #:

LIVESCAN PCN #: 150603004969

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 03/16/2019 in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF RYAN PODESTA AT [REDACTED] WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN AND IN THE COURSE OF COMMITTING THE BURGLARY, DEFENDANT PURPOSELY, KNOWINGLY OR RECKLESSLY INFLICTED BODILY INJURY ON RYAN PODESTA, SPECIFICALLY BY ATTEMPTING TO FORCE OPEN THE FRONT DOOR RESULTING IN INJURY AND BLEEDING TO RYAN PODESTA'S LEFT INDEX FINGER.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF (RICHARD HOOYMAN) AT [REDACTED] WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT SPECIFICALLY BY ENTERING THE UNLOCKED TRAILOR IN THE DRIVEWAY OF [REDACTED] AND REMOVING A LAPTOP COMPUTER AND CHILD CAR SEAT.

in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:18-2A(1)	3)
Amended Charge			

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

Signed: **JOHN M GANNAIO PTL.**Date: **03/17/2019**

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: **03/16/2019** 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. **JOSEPH GRISANTI JUDICIAL OFFICER** **03/17/2019**

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**1506****W****2019****000294**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**DANIEL I KENNY****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:18-2A(1)**2) **2C:18-2A(1)**

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:**Related Traffic Tickets and Complaints:***** Finding Codes**

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

COMPLAINT - WARRANT (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000294
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 2	CO-DEFTS	POLICE CASE #: 16342-19	
COMPLAINANT NAME: JOHN M GANNAIO PTL.		DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/03/1980 DRIVER'S LIC. #. SOCIAL SECURITY #: [REDACTED] DL STATE: TELEPHONE #: () SBI #: 767010C LIVESCAN PCN #: 150603004969	

THE STATE OF NEW JERSEY

VS.

DANIEL I KENNY

ADDRESS: **716 MIDSTREAM 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 **03/16/2019** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF RYAN PODESTA AT **[REDACTED]** WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN AND IN THE COURSE OF COMMITTING THE BURGLARY, DEFENDANT PURPOSELY, KNOWINGLY OR RECKLESSLY INFLECTED BODILY INJURY ON RYAN PODESTA, SPECIFICALLY BY ATTEMPTING TO FORCE OPEN THE FRONT DOOR RESULTING IN INJURY AND BLEEDING TO RYAN PODESTA'S LEFT INDEX FINGER.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF (RICHARD HOOYMAN) AT **[REDACTED]** WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT SPECIFICALLY BY ENTERING THE UNLOCKED TRAILOR IN THE DRIVEWAY OF **[REDACTED]** AND REMOVING A LAPTOP COMPUTER AND CHILD CAR SEAT.

in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:18-2A(1)	3)
Amended Charge			

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

Signed: **JOHN M GANNAIO PTL.**

Date: **03/17/2019**

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: **03/16/2019** Appearance Date: Time: Phone: **732-244-2121** 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

Date

Signature of Judge

Date

☒ Probable cause IS found for the issuance of this complaint. **JOSEPH GRISANTI JUDICIAL OFFICER** **03/17/2019**

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)

COMMITMENT

COMPLAINT NUMBER

1506**W****2019****000294**

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 2 CO-DEFTS POLICE CASE #: 16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***DANIEL I KENNY**

ADDRESS: 716 MIDSTREAM ROAD

BRICK**NJ 08724-0000****DEFENDANT INFORMATION**

SEX: M EYE COLOR: BLUE

DOB: 02/03/1980

DRIVER'S LIC. #.

DL STATE:

SOCIAL SECURITY #: [REDACTED]

SBI #: 767010C

TELEPHONE #: ()

LIVESCAN PCN #: 150603004969

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:18-2A(1)			3	BURGLARY-ENTERI
2.	2C:18-2A(1)			3	BURGLARY-ENTERI
3.					
4.					

Commitment Reason: Criminal Justice Reform

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court

in the county of OCEAN

at the following address: OCEAN SUPERIOR COURT

100 HOOPER AVE

TOMS RIVER

NJ 08753-0000

Date of Arrest: 03/16/2019

Phone: 732-244-2121

JOSEPH GRISANTI JUDICIAL OFFICER

03/17/2019

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000294**

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 2
CO-DEFTS
POLICE CASE #: 16342-19

COMPLAINANT JOHN M GANNAIO PTL.
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***DANIEL I KENNY**

ADDRESS: 716 MIDSTREAM ROAD

BRICK**NJ 08724-0000****DEFENDANT INFORMATION**

SEX: M EYE COLOR: BLUE DOB: 02/03/1980

DRIVER'S LIC. #

DL STATE:

SOCIAL SECURITY #: SBI #: 767010C

TELEPHONE #: ()

LIVESCAN PCN #: 150603004969

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:

THE DEFENDANT WAS OBSERVED TRYING TO FORCE HIS WAY INTO THE RESIDENCE OF THE VICTIM. ADDITIONALLY THE SECOND VICTIM'S PROPERTY WAS RECOVERED NEAR THE DEFENDANT ON THE PROPERTY OF THE FIRST VICTIM.

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

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2019

000294

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

DANIEL I KENNY

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

THE SECOND VICTIM, HOOYMAN, ADVISED THAT THE PROPERTY IS HIS AND WAS STOLEN FROM HIS UNLOCKED TRAILOR. THE FIRST VICTIM OBSERVED THE DEFENDANT WHILE THE DEFENDANT WAS ATTEMPTING TO GAIN ACCESS TO HIS RESIDENCE.

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

VICTIM SUSTAINED A BLOODY LEFT INDEX FINGER

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: JOHN M GANNAIO PTL. LAW ENFORCEMENT OFFICER

Date: 03/16/2019

Affidavit of Probable Cause

Page 6 of 7

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> DANIEL I KENNY	
1506	W	2019	000294		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN				ADDRESS: 716 MIDSTREAM ROAD BRICK NJ 08724-0000	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 16342-19		DEFENDANT INFORMATION	
COMPLAINANT NAME: JOHN M GANNAIO PTL. 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723				SEX: M EYE COLOR: BLUE DOB: 02/03/1980 DRIVER'S LIC. #. SOCIAL SECURITY #: [REDACTED] DL STATE: TELEPHONE #: [REDACTED] SBI #: 767010C LIVESCAN PCN #: 150603004969	

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:
 - *Body-Worn Camera
- The defendant was a stranger to the victim.
- The victim was injured and:
 - Victim refused treatment
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is **LAPTOP COMPUTER & CAR SEAT**
- The case involved burglary of an occupied structure. The victim(s) were:
 - Assaulted/Injured
- 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).

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: JOHN M GANNAIO PTL. LAW ENFORCEMENT OFFICER Date: 03/16/2019

Judgment of Dismissal

Superior Court of New Jersey, OCEAN County

State of New Jersey

V.

Last Name
KENNY

First Name
DANIEL

Middle Name
I

Also Known As

Date of Birth
02/03/198

SBI Number	767010C
------------	---------

Date(s) of Offense
03/16/2019

Date of Arrest

PROMIS Number	19 000899-001
---------------	---------------

Date Ind / Acc / Complt Filed
06/03/2019

Original Plea
☐ Not Guilty

☐ Guilty

Date of Original Plea

Adjudication By ☐ Guilty Plea ☐ Jury Trial Verdict ☐ Non-Jury Trial Verdict ☒ Dismissed / Acquitted Date: 08/02/2019

[illegible]

Ind / Acc / Compl	Count	Description	Statute	Degree
19-06-00814-A	1	CRIMINAL TRESPASS-RESEARCH FACILITY/POWER FACILITY ETC	2C:18-3A	4
W-2019-000291-1506	901	CRIMINAL MISCHIEF-DAMAGE PROPERTY \$500 OR LESS	2C:17-3A(1)	DP
W-2019-000291-1506	902	SIMPLE ASSAULT-PURPOSELY/KNOWINGLY CAUSE BOD. INJURY	2C:12-1A(1)	DP
W-2019-000291-1506	903	USE/POSS W/INTENT TO USE DRUG PARAPHERNALIA	2C:36-2	DP
W-2019-000291-1506	001	THEFT BY UNLAWFL TAKNG-MOVABLE PROP VAL \$200-\$499	2C:20-3A	4
W-2019-000291-1506	002	POSS CDS/ANALOG - SCHD I II III IV	2C:35-10A(1)	3
W-2019-000294-1506	003	BURGLARY-ENTERING STRUCTURE ETC-NO BI/UNARMED	2C:18-2A(1)	3
W-2019-000294-1506	004	BURGLARY-ENTERING STRUCTURE ETC-NO BI/UNARMED	2C:18-2A(1)	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree

Sentencing Statement

It is, therefore, on _____ **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
On August 2, 2019 Accusation No. 19-06-00814-A along with Complaint No. W-2019-000291-1506 and W2019-000294-1506 are hereby dismissed to this defendant only.

☐ 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)		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%; border-collapse: collapse;"> <tr> <th style="text-align: left; width: 40%;">Standard</th> <th style="text-align: left; width: 20%;">@ \$</th> <th style="text-align: left; width: 40%;">Doubled</th> <th style="text-align: left; width: 20%;">@ \$</th> </tr> <tr> <td>1st Degree</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>2nd Degree</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>3rd Degree</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>4th Degree</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>DP or</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> <tr> <td>Petty DP</td> <td>_____</td> <td>_____</td> <td>_____</td> </tr> </table> Total DEDR Penalty \$ _____ ☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)		Standard	@ \$	Doubled	@ \$	1st Degree	_____	_____	_____	2nd Degree	_____	_____	_____	3rd Degree	_____	_____	_____	4th Degree	_____	_____	_____	DP or	_____	_____	_____	Petty DP	_____	_____	_____	☐ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29). ☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4). ☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4). ☐ The defendant is hereby ordered to serve a _____ 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																													
_____	_____ @	\$ 50.00	_____																												
_____	_____ @	\$ _____	_____																												
_____	_____ @	\$ _____	_____																												
_____	_____ @	\$ _____	_____																												
Total VCCO Assessment \$ _____																															
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) ☐ _____ Offenses @ \$ _____ Total: \$ _____																													
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 \$ _____																													
Details																															
Findings Per N.J.S.A. 2C:47-3																															
☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior. ☐ The court finds that the defendant is amenable to sex offender treatment. ☐ The court finds that the defendant is willing to participate in sex offender treatment.																															
License Suspension																															
☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1) ☐ Eluding (N.J.S.A. 2C:29-2) ☐ Other _____																															
Number of Months		☐ Non-resident driving privileges revoked																													
Start Date		End Date																													
Details																															
Driver's License Number		Jurisdiction																													
If the court is unable to collect the license, complete the following:																															
Defendant's Address																															
City		State	Zip																												
Date of Birth		Sex ☐ M ☐ F	Eye Color																												

Time Credits**Time Spent in Custody**

R. 3:21-8

Date: From - To

-
-
-
-
-
-
-
-
-
-

Total Number of Days

Gap Time Spent in Custody

N.J.S.A. 2C:44-5b(2)

Date: From - To

-
-
-

Total Number of Days

Rosado Time

Date: From - To

-
-
-

Total Number of Days

Prior Service Credit

Date: From - To

-
-
-
-
-
-
-
-
-
-

Total Number of Days

Statement of Reasons - Include all applicable aggravating and mitigating factors

Attorney for Defendant at Sentencing

STEPHEN MCGUCKIN

Public Defender

☐ Yes ☒ No

Prosecutor at Sentencing

KRISTIN PRESSMAN

Deputy Attorney General

☐ Yes ☒ No

Judge at Sentencing

Hon. Guy P. Ryan, J.S.C.

Judge (Signature)

/s Hon. Guy P. Ryan, J.S.C.

Date

08/14/2019

D

NAME Kenny, D

IND.# _____

WARRANT/COMPLAINT# _____

CHARGES _____

☐ B/W ISSUED FOR FTA and B

VOP: GUILTY TO: _____

P.O. _____

SENTENCE: OCJ _____

DOC _____

☐ C/C to _____

CREDIT FOR TIME SERVED _____

PROBATION _____

☐ SUB ABUSE EVAL ☐ U

EMPLOYMENT - OBTAIN/MA

☐ COMMUNITY SUPERVISIO

RESTITUTION AMOUNT _____

V.C.C.B _____

S.N.S.F. _____

S.A.N.E. _____

PAYMENT RATE _____

☒ BAIL DISCHARGED

DISMISSED D

APPEAL RIGHTS FORM SIGNED

AGGRAVATING FACTORS: _____

MITIGATING FACTORS: _____

JUDGE Ryan

REPORTER CLS

NOTES: _____

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 19000899

Defendant's Name: Daniel Kenny

before Judge: Ryan

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum		
				Time	Fine	VCCO Assmt*
19-06-814	1	criminal trespass	4th	Max <u>6 mos</u>	<u>\$1000</u>	<u>\$50</u>
<u>A-19-06-814</u>	<u>1</u>	<u>criminal trespass</u>	<u>4th</u>	Max <u>18 mos</u>	<u>\$10,000</u>	<u>\$50</u>
				Max		
				Max		
				Max		
Your total exposure as the result of this plea is:				Total <u>6 mos</u>	<u>\$1K</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?
- (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 _____ months (fill in the number of years/months) and the maximum period of parole ineligibility can be _____ years and _____ months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.

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
W-19-000291	1	Theft, 4th
	3	Simple Assault, 3rd
	4	Poss. CDS, 3rd
	5	Paraphernalia, DP
	2	Criminal Mischief, 4th

W-19-000294
Ct 1 2C:18-2A6
Ct 2 2C:18-2A6

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

60 days OCJ as condition of probation
NCWV x Restitution of one

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 5/20/19 Defendant Randy Remy
6/3/19
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.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

DANIEL KENNY,
DEFENDANT

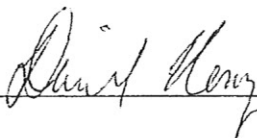
WAIVER OF INDICTMENT
AND TRIAL BY JURY

ACCUSATION NO. 19-06-814

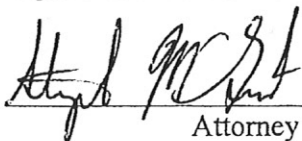
TO THE COUNTY PROSECUTOR:

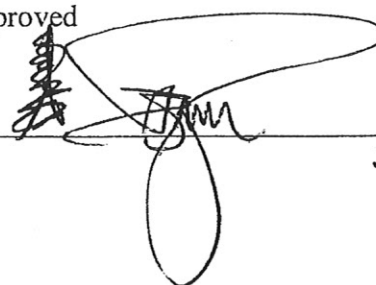
The above named defendant who is charged with one count of Criminal Trespass, in violation of N.J.S.A. 2C:18-3a, and having been advised of the nature of the charge against him and of his right to indictment and trial by jury, hereby waives prosecution by indictment and trial by jury.

Dated in Toms River, New Jersey, the 3rd day of June, 2019.

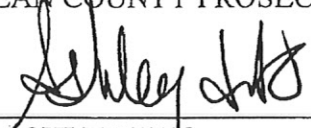

Defendant

Signed and delivered in the presence of


Attorney for Defendant

Approved

J.S.C.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

By: 
ASHLEY TITO
Assistant Prosecutor

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

DANIEL KENNY, :

DEFENDANT :

ACCUSATION

NO. 19-06-814

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

CRIMINAL TRESPASS

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

**COUNT ONE – FOURTH DEGREE
CRIMINAL TRESPASS**

THE COUNTY PROSECUTOR for the said County of Ocean, alleges that DANIEL KENNY, on or about March 16, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, knowing that he was not licensed or privileged to do so, did enter into a structure, that is, the dwelling of Wayne Podesta at [REDACTED] [REDACTED] contrary to the provisions of N.J.S.A. 2C:18-3a, and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

By: _____

ASHLEY TITO

Assistant Prosecutor

DATED: _____

6/3/19