

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

July 1, 2021

Via OPRA Machine: opra+request-24320-e92919d8@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 19001832 – Matthew Harlan

Dear Sir/Madam:

Enclosed please find the Global Subject Activity Report, Complaint Warrants, Affidavits, Preliminary Law Enforcement Incident Reports, Accusation, Waiver of Indictment, Plea Form and Judgment of Conviction, 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 Criminal Information 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

FW: OPRA request - Case reports

Khajezadeh, Dina

Sun 6/27/2021 10:00 AM

To: Carey, Erin <ECarey@co.ocean.nj.us>;

Categories: IMPORTANT DOCUMENTS

Sent from my Verizon, Samsung Galaxy smartphone

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

From: Resident <opra+request-24320-e92919d8@requests.opramachine.com>

Date: 6/26/21 11:35 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:

Matthew Harlan (Case # 19001832)

Bruce Tocci (Case # 19002031)

Vera Griatzky (Case # 19002256)

Patricia Sullivan (Case # 19002495)

Jamal Preston (indicted 6/24/21) 20002489

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-24320-e92919d8@requests.opramachine.com



Global Subject Activity Report

Detail



Print Date/Time: 06/03/2019 10:02

Login ID: rgranata

Brick Township Police Department

ORI Number: NJ0150600

HARLAN, MATTHEW S

Jacket: 800089656 A

SSN:

Address: 68 DIAMOND LN
HOWELL
NJ 07731

Sex: Male

Phone #: [REDACTED]

Height: 6ft 0in to 6ft 0in

Weight: 161.0 lbs. to
161.0 lbs.

DOB: 02/17/1978

Eyes: Blue

Race: White

Hair: Blonde

DL State: NJ

DL#: [REDACTED]

Physical Characteristics:

Appearance: Normal

Hair Style: Straight

Hair Length: Short

Facial Shape: Oval

Complexion: Light

Build: Thin

Glasses: No

Teeth: Normal

Speech: Normal

Voice: Medium Pitch

Mustache: None

DNA Collected: No

Known Offender:

Country/State of Birth: NEW JERSEY

City of Birth: Brick

County of Origin: Atlantic

Ethnicity: Non Hispanic

Citizenship: US Citizen

Tribe: Not Applicable

Hate Group: Not Applicable

Military Service: Not Applicable

Military Discharge:

School: High School -

Diploma

None

DNA Collected Date:

Age Range:

Hand Preference: Right

Place of Birth:

Occupation: Unemployed

of Dependents: 0

Primary Language: English

Second Language: English

Gang Affiliation: Not Applicable

Marital Status: Single

Blood Type: Unknown

Religion: Unknown

Illegal Alien: No

County of Conviction:

Identifying Clothing:

State Of Conviction:

Modus Operandi

Crime Specialities

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
AKA	HARLAN, MATTHEW Shawn	02/17/1978	White	Male		Blonde	Blue	[REDACTED]	6ft 0in	161.0 lbs.	[REDACTED]

Nicknames

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

Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	*FBI	608139JB4			
	*SBI	195912C			

Known Associates

Relationship	Name
Friend	CHAMBERS, ROBERT

School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
Employer	A1 Tree Service		

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
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Handicap Information



Global Subject Activity Report

Detail



Print Date/Time: 06/03/2019 10:02
Login ID: rgranata
Handicap

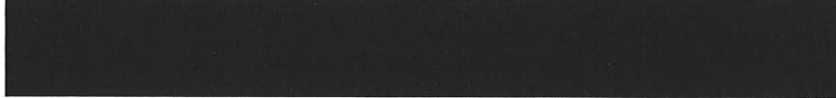
Brick Township Police Department
ORI Number: NJ0150600

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
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Contact Information

Date	Type	Phone	Extension
12/12/2018 07:16	Cell		
12/14/2008 14:47	Home		
12/14/2008 14:45	Home		
12/14/2008 14:47	Home		
12/14/2008 14:47	Home		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State
716067	Operator - Not Owner	10/21/2015	Passenger Car	GMC	Yukon	2011		NJ

Activity

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1506	W	2019	000571	VS. MATTHEW S HARLAN	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN				ADDRESS: 68 DIAMOND LANE HOWELL NJ 07731-0000	
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 34577-19	DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/17/1978 DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #:		
COMPLAINANT RICHARD J ZIMMERER NAME: 401 CHAMBERS BRIDGE RD ATTN WARRANTS BRICK TOWN 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 05/21/2019 in BRICK TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT MATTHEW S HARLAN DID COMMIT ASSAULT BY KNOWINGLY CAUSING BODILY INJURY TO [REDACTED] SPECIFICALLY BY INJURING THE VICTIMS RIGHT MIDDLE FINGER DURING THE COURSE OF A DOMESTIC VIOLENCE PHYSICAL ALTERCATION. THE DEFENDANT MATTHEW S HARLAN ALSO DID COMMIT ASSAULT BY KNOWINGLY CAUSING BODILY INJURY TO [REDACTED] SPECIFICALLY BY CAUSING BRUISING AND ABRASIONS TO HER ARMS, NECK, AND LEGS WHILE ATTEMPTING TO DEFEND HERSELF FROM HARLAN DURING A DOMESTIC VIOLENCE PHYSICAL ALTERCATION.					
WITHIN THE JURISDICTION OF THIS COURT, THREATEN TO KILL [REDACTED] WITH THE PURPOSE TO PUT HER IN IMMINENT FEAR OF DEATH UNDER CIRCUMSTANCES REASONABLY CAUSING SAID VICTIM TO BELIEVE THE IMMEDIACY OF THE THREAT AND THE LIKELIHOOD THAT IT WOULD BE CARRIED OUT, SPECIFICALLY BY, STATING GIVE YOUR KEYS, GIVE ME YOUR FUCKING KEYS TO YOUR VEHICLE OR I AM GOING TO KILL YOU. [REDACTED] STATED WHEN SHE REFUSED TO GIVE HIM THE KEYS HE PHYSICALLY ASSAULTED HER CAUSING THE INJURY TO HER RIGHT					
in violation of:					
Original Charge	1) 2C:12-1A(1)		2) 2C:12-3B		3) 2C:17-3A(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: RICHARD J ZIMMERER			Date: 06/01/2019		
You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of OCEAN at the following address: OCEAN SUPERIOR COURT 100 HOOPER AVE TOMS RIVER NJ 08753-0000 Date of Arrest: 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 06/01/2019 Signature and Title of Judicial Officer Issuing Warrant Date					
TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.					
Bail Amount Set: by: (if different from judicial officer that issued warrant)					
☒ Domestic Violence – Confidential		☐ Related Traffic Tickets or Other Complaints		☐ Serious Personal Injury/ Death Involved	
Special conditions of release: ☐ No phone, mail or other personal contact w/victim ☐ No possession firearms/weapons ☐ Other (specify):				ORIGINAL	
				Page 1 of 10 NJ/CDR2 1/1/2017	

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506

W

2019

000571

STATE V.

MATTHEW S HARLAN

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

MIDDLE FINGER. HARLAN SPECIFICALLY STATED THIS WOULD NOT HAPPEN IF YOU JUST KEEP YOUR MOUTH SHUT.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT CRIMINAL MISCHIEF BY RECKLESSLY DAMAGING PROPERTY BELONGING TO [REDACTED] SPECIFICALLY BY THROWING A CANDLE AGAINST THE WALL OF THE RESIDENCE DURING A DISPUTE CAUSING THE CANDLE TO BREAK AND RESULTING IN A HOLE IN THE WALL. THE APPROXIMATE VALUE OF THE DAMAGES ARE \$25.00.

Original Charge

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1506**W****2019****000571**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**MATTHEW S HARLAN****FTA Bail Information**

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(v)

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to

County Prosecutor: _____

Date of First
Appearance:☐ Advised of Rights by _____

Defendant Desires Counsel:

☐ Yes ☐ No**Prosecuting Attorney Information****Defense Counsel Information****Name:****Name:**

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:12-1A (1)**2) **2C:12-3B**3) **2C:17-3A (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:**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.	MATTHEW S HARLAN
1506	W	2019	000571		
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
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Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge									
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:	

COMPLAINT - WARRANT

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	W	2019	000571
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 34577-19	DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/17/1978 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVESCAN PCN #:
COMPLAINANT NAME: RICHARD J ZIMMERER			ADDRESS: 68 DIAMOND LANE HOWELL NJ 07731-0000

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 05/21/2019 in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT MATTHEW S HARLAN DID COMMIT ASSAULT BY KNOWINGLY CAUSING BODILY INJURY TO SPECIFICALLY BY INJURING THE VICTIMS RIGHT MIDDLE FINGER DURING THE COURSE OF A DOMESTIC VIOLENCE PHYSICAL ALTERCATION. THE DEFENDANT MATTHEW S HARLAN ALSO DID COMMIT ASSAULT BY KNOWINGLY CAUSING BODILY INJURY TO SPECIFICALLY BY CAUSING BRUISING AND ABRASIONS TO HER ARMS, NECK, AND LEGS WHILE ATTEMPTING TO DEFEND HERSELF FROM HARLAN DURING A DOMESTIC VIOLENCE PHYSICAL ALTERCATION.

WITHIN THE JURISDICTION OF THIS COURT, THREATEN TO KILL WITH THE PURPOSE TO PUT HER IN IMMINENT FEAR OF DEATH UNDER CIRCUMSTANCES REASONABLY CAUSING SAID VICTIM TO BELIEVE THE IMMEDIACY OF THE THREAT AND THE LIKELIHOOD THAT IT WOULD BE CARRIED OUT, SPECIFICALLY BY, STATING GIVE YOUR KEYS, GIVE ME YOUR FUCKING KEYS TO YOUR VEHICLE OR I AM GOING TO KILL YOU. STATED WHEN SHE REFUSED TO GIVE HIM THE KEYS HE PHYSICALLY ASSAULTED HER CAUSING THE INJURY TO HER RIGHT

in violation of:

Original Charge	1) 2C:12-1A(1)	2) 2C:12-3B	3) 2C:17-3A(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: RICHARD J ZIMMERER Date: 06/01/2019

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of **OCEAN** at the following address: OCEAN SUPERIOR COURT 100 HOOPER AVE TOMS RIVER NJ 08753-0000

Date of Arrest: 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** 06/01/2019
Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

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

☒ Domestic Violence – Confidential	☐ Related Traffic Tickets or Other Complaints	☐ Serious Personal Injury/ Death Involved
--	--	--

Special conditions of release:

☐ No phone, mail or other personal contact w/victim

☐ No possession firearms/weapons

☐ Other (specify):

COMPLAINT - WARRANT (DEFENDANT'S COPY)

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506

W

2019

000571

STATE V.

MATTHEW S HARLAN

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

MIDDLE FINGER. HARLAN SPECIFICALLY STATED THIS WOULD NOT HAPPEN IF YOU JUST KEEP YOUR MOUTH SHUT.

WITHIN THE JURISDICTION OF THIS COURT, COMMIT CRIMINAL MISCHIEF BY RECKLESSLY DAMAGING PROPERTY BELONGING TO [REDACTED] SPECIFICALLY BY THROWING A CANDLE AGAINST THE WALL OF THE RESIDENCE DURING A DISPUTE CAUSING THE CANDLE TO BREAK AND RESULTING IN A HOLE IN THE WALL. THE APPROXIMATE VALUE OF THE DAMAGES ARE \$25.00.

Original Charge

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)

Page 6 of 10

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1506**W****2019****000571**

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 #:
34577-19

COMPLAINANT RICHARD J ZIMMERER
NAME: 401 CHAMBERS BRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***MATTHEW S HARLAN**

ADDRESS:

68 DIAMOND LANE**HOWELL****NJ 07731-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BLUE**DOB: **02/17/1978**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

()

LIVESCAN PCN #:

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.	_____	_____	_____	_____	_____
2.	_____	_____	_____	_____	_____
3.	_____	_____	_____	_____	_____
4.	_____	_____	_____	_____	_____

Commitment Reason:

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:

Phone: **732-244-2121**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER			
1506	W	2019	000571
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 #: 34577-19	
COMPLAINANT NAME: RICHARD J ZIMMERER 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723			
DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/17/1978 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: TELEPHONE #: () LIVESCAN PCN #:			

THE STATE OF NEW JERSEY

VS.

MATTHEW S HARLAN

ADDRESS: 68 DIAMOND LANE

HOWELL NJ 07731-0000

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:
SPECIFICALLY 3 YEARS AGO DEFENDANT STARTED PUSHING HER FOLLOWED BY DRAGGING HER THROUGH OUT THE RESIDENCE AS WELL AS VARIOUS SCRATCHES AND BRUISES ON HER BODY. APPROX. 1.5 YEARS AGO DEFENDANT PUNCHED PLAINTIFF IN THE FACE WITH A CLOSED FIST THEN PROCEEDED TO GRAB THE BACK OF HER HEAD AND SMASHED HER FACE INTO THE FOOT BOARD OF HER BED. DID NOT GO TO THE HOSPITAL OR DOCTOR BECAUSE SHE WAS EMBARRASSED AND FEARED FOR HER LIFE. THE VERBAL AND PHYSICAL ABUSED CONTINUED AND THE PLAINTIFF STATED IF SHE WAS TO REPORT THE ABUSE TO THE POLICE HE WOULD KILL HER AND SHE WOULD BE SORRY. ON MAY 21ST AT APPROX 8:00 PM THE DEFENDANT WAS INTOXICATED AND DEMANDED THE PLAINTIFF GIVE HIM HER KEYS OR HE THREATENED TO SMASH EVERYTHING IN HER HOUSE. SHE DID NOT GIVE HIM THE KEYS AND SUFFERED A POSSIBLE BROKEN RIGHT MIDDLE FINGER ALONG WITH SEVERAL BRUISES ON ARMS AND NECK. DEFANDANT ALSO THREW A CANDLE AGAINST THE WALL CAUSING DAMAGE TO THE WALL OF THE RESIDENCE. ON 05/31/19 APPROX. 8:00 PM THE DEFENDANT WAS AGAIN INTOXICATED DEMANDED THE PLAINTIFFS KEYS AND FEARING FOR HER LIFE SHE JUST THREW HIM THE KEYS TO HER VEHICLE AND HE LEFT THE RESIDENCE.

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2019

000571

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

MATTHEW S HARLAN

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

I AM AWARE OF THE FACTS ABOVE BASED ON THE VICTIMS STATEMENTS, OBSERVATIONS, AND INJURIES.

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

INJURY TO RIGHT MIDDLE FINGER, POSSIBLY BROKEN BUT UNABLE TO CONFIRM SINCE THE VICTIM WAS AFRAID TO GO TO THE HOSIPTAL.

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: RICHARD J ZIMMERER LAW ENFORCEMENT OFFICER

Date: 06/01/2019

Affidavit of Probable Cause

Page 9 of 10

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	W	2019	000571
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 34577-19	
COMPLAINANT NAME: RICHARD J ZIMMERER 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 02/17/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY
VS.
MATTHEW S HARLAN
ADDRESS: 68 DIAMOND LANE
HOWELL NJ 07731-0000

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 offense Involved domestic violence.

-ODARA was completed and:

- Threat to harm or kill anyone at the Index Assault
- Victim concern about future assaults
- Two or more indicators of substance abuse

[REDACTED]

-The defendant was known to the victim as:

- Intimate Partner

-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.

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: RICHARD J ZIMMERER LAW ENFORCEMENT OFFICER

Date: 06/01/2019

Preliminary Law Enforcement Incident Report

Page 10 of 10

7/20/2018

COMPLAINT - WARRANT

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> MATTHEW HARLAN ADDRESS: 68 DIAMOND LANE HOWELL NJ 07731-0000	
1506	W	2019	000575		
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 #: 34869-19		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 02/17/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (c) LIVESCAN PCN #: [REDACTED]	
COMPLAINANT NAME: RICHARD J ZIMMERER 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN 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 **05/31/2019** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT ROBBERY BY THREATENING [REDACTED] WITH OR PURPOSELY PUTTING [REDACTED]. IN FEAR OF IMMEDIATE BODILY INJURY IN THE COURSE OF COMMITTING A THEFT, BY THREATENING PHYSICAL HARM AND PROPERTY DAMAGE IF SHE DIDN'T TURN OVER HER CAR KEYS WHICH VICTIM DID OUT OF FEAR IN VIOLATION OF 2C:15-1A(2)

WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, A 2016 JEEP WRANGLER RUBICON WITH A VALUE OF \$37,000 BELONGING TO [REDACTED] WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, BY TAKING HER VEHICLE WITH A THREAT OF VIOLENCE IN VIOLATION OF N.J. 2C:20-3A

in violation of:

Original Charge	1) 2C:15-1A(2)	2) 2C:20-3A	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: RICHARD J ZIMMERER

Date: 06/02/2019

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: 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. LISA NEWTON JUDICIAL OFFICER 06/02/2019
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		000575		MATTHEW HARLAN											
COURT CODE		PREFIX		YEAR		SEQUENCE NO.													
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		1) 2C:15-1A (2)				2) 2C:20-3A				3)									
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:			
DEDR/Lab Fee		DEDR:		LAB:		DEDR:		LAB:		DEDR:		LAB:		DEDR:		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: NEW CASE AND COMPLAINTS RELATED TO C#34577-19 ALSO FROM BRICK TWP										* 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: W-1506-2019-000571																			
JUDGE'S SIGNATURE _____										DATE _____									
										COMPLAINT - WARRANT (Court Action)									
										Page 2 of 7									
										NJ/CDR2 1/1/2017									

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1506	W	2019	000575
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 #: 34869-19	
COMPLAINANT NAME: RICHARD J ZIMMERER		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 02/17/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY

VS.

MATTHEW HARLAN

ADDRESS: **68 DIAMOND LANE**

HOWELL

NJ 07731-0000

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 **05/31/2019** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT ROBBERY BY THREATENING [REDACTED] WITH OR PURPOSELY PUTTING [REDACTED] IN FEAR OF IMMEDIATE BODILY INJURY IN THE COURSE OF COMMITTING A THEFT, BY THREATENING PHYSICAL HARM AND PROPERTY DAMAGE IF SHE DIDN'T TURN OVER HER CAR KEYS WHICH VICTIM DID OUT OF FEAR IN VIOLATION OF 2C:15-1A(2)

WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, A 2016 JEEP WRANGLER RUBICON WITH A VALUE OF \$37,000 BELONGING TO [REDACTED] WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, BY TAKING HER VEHICLE WITH A THREAT OF VIOLENCE IN VIOLATION OF N.J. 2C:20-3A

in violation of:

Original Charge	1) 2C:15-1A(2)	2) 2C:20-3A	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: **RICHARD J ZIMMERER** Date: **06/02/2019**

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: 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. **LISA NEWTON JUDICIAL OFFICER** **06/02/2019**

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****000575**

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 #:
34869-19

COMPLAINANT RICHARD J ZIMMERER
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***MATTHEW HARLAN**

ADDRESS:
68 DIAMOND LANE

HOWELL NJ 07731-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN DOB: 02/17/1978
DRIVER'S LIC. #: DL STATE: NJ
SOCIAL SECURITY #: SBI #:
TELEPHONE #: (C)
LIVESCAN PCN #:

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.				
2.				
3.				
4.				

Commitment Reason:

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:**Phone: 732-244-2121****Signature and Title of Judicial Officer Issuing Warrant****Date****COMMITMENT**

Affidavit of Probable Cause

COMPLAINT NUMBER

1506**W****2019****000575**

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 #:
34869-19

COMPLAINANT RICHARD J ZIMMERER
NAME: 401 CHAMBERSBRDG RD
ATTN WARRANTS
BRICK TOWN NJ 08723

*THE STATE OF NEW JERSEY**VS.***MATTHEW HARLAN**

ADDRESS:
68 DIAMOND LANE

HOWELL NJ 07731-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN DOB: 02/17/1978
DRIVER'S LIC. #. [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #:
TELEPHONE #: (C)
LIVESCAN PCN #:

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:

Def threatened victim with physical harm and property damage if she didn't turn over the keys to her vehicle. Victim was in fear of her safety, so she handed over the keys to her 2016 Jeep Wrangler Rubicon with a value of \$37,000 before the Def fled in such vehicle knowing he was not licensed or allowed to drive her vehicle. Vehicle has not been returned and no contact between victim and Def. since.

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

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2019

000575

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

MATTHEW HARLAN

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: RICHARD J ZIMMERER LAW ENFORCEMENT OFFICER

Date: 06/02/2019

Affidavit of Probable Cause

Page 6 of 7

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. MATTHEW HARLAN ADDRESS: 68 DIAMOND LANE HOWELL NJ 07731-0000	
1506	W	2019	000575		
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 #: 34869-19		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 02/17/1978 DRIVER'S LIC. #. SOCIAL SECURITY #: TELEPHONE #: LIVESCAN PCN #:	
COMPLAINANT NAME: RICHARD J ZIMMERER 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723				SBI #: DL STATE: NJ (C)	

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: Prior reports to LE
- ODARA was completed and:
 - Threat to harm or kill anyone at the Index Assault
 - Victim concern about future assaults
 - Two or more indicators of substance abuse
- The offense/incident was recorded using electronic/surveillance via:
 - Other/Explain Home video
- The defendant was known to the victim as:
 - Intimate Partner
- Identification procedures were used by utilizing:
 - Other/Explain known to victim
- The victim was injured and:
 - Victim indicated he/she will seek treatment on his/her own
- 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 vehicle
- The defendant attempted to threaten or intimidate victim(s) in the case, threaten harm and propert

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: **RICHARD J ZIMMERER LAW ENFORCEMENT OFFICER**

Date: **06/02/2019**

Preliminary Law Enforcement Incident Report

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

MATTHEW HARLAN, :

DEFENDANT :

ACCUSATION

NO. 19-07-1138

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

UNLAWFUL TAKING OF A MEANS OF CONVEYANCE

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

COUNT ONE – FOURTH DEGREE
UNLAWFUL TAKING OF A MEANS OF CONVEYANCE

THE COUNTY PROSECUTOR for the County of Ocean, ALLEGES that MATTHEW HARLAN, on or about May 31, 2019, in the Township of Brick, County of Ocean, and within the jurisdiction of this Court, with purpose to temporarily deprive the owner thereof, did take, operate or exercise control over a motor vehicle belonging to [REDACTED] that is, a 2016 Jeep Wrangler Rubicon, without the consent of the owner, contrary to the provisions of N.J.S.A. 2C:20-10b, and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

By: Alyssa Mandara

Assistant Prosecutor

Dated: 7/26/19

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY

THE STATE OF NEW JERSEY :

WAIVER OF INDICTMENT
AND TRIAL BY JURY

VS. :

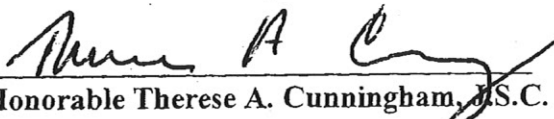
MATTHEW HARLAN,
DEFENDANT

ACCUSATION NO. 19-07-1138

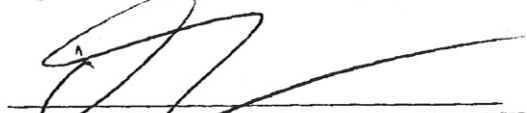
TO THE COUNTY PROSECUTOR:

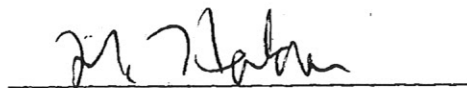
The above named defendant who is charged with one count of Unlawful Taking of a Means of Conveyance, in violation of N.J.S.A. 2C:20-10b, and having been advised of the nature of the charge against him and of his right to indictment, hereby waives prosecution by indictment.

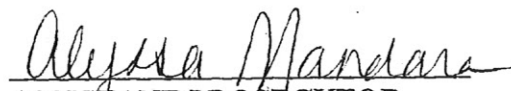
Dated in Toms River, New Jersey, the 26th day of July, 2019.


Honorable Therese A. Cunningham, J.S.C.

Signed and delivered in the presence of


ATTORNEY FOR THE DEFENDANT


MATTHEW HARLAN
DEFENDANT


ASSISTANT PROSECUTOR



Judgment of Conviction

Superior Court of New Jersey, OCEAN County

State of New Jersey
v.

Last Name

HARLAN

First Name

MATTHEW

Middle Name

S

Also Known As

Date of Birth

02/17/1978

SBI Number

195912C

Date(s) of Offense

05/21/2019

Date of Arrest

PROMIS Number

19 001832-001

Date Ind / Acc / Complt Filed

07/26/2019

Original Plea

☐ Not Guilty

☒ Guilty

Date of Original Plea

07/26/2019

Adjudication By

☒ Guilty Plea

☐ Jury Trial Verdict

☐ Non-Jury Trial Verdict

☐ Dismissed / Acquitted

Date: 07/26/2019

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-07-01138-A	1	UNLAW TAKING MEANS OF CONVEYANCE-OPERATE ETC MV	2C:20-10B	4
W-2019-000571-1506	901	SIMPLE ASSAULT-PURPOSELY/KNOWINGLY CAUSE BOD. INJURY	2C:12-1A(1)	DP
W-2019-000571-1506	902	CRIMINAL MISCHIEF-DAMAGE PROPERTY \$500 OR LESS	2C:17-3A(1)	DP
W-2019-000571-1506	1	TERRORISTIC THREATS-THREATEN IMMINENT DEATH-PURP FEAR	2C:12-3B	3
W-2019-000575-1506	3	THEFT BY UNLAWFL TAKNG-MOVABLE PROP VAL \$500-\$74999 ETC	2C:20-3A	3

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
19-07-01138-A	1	UNLAW TAKING MEANS OF CONVEYANCE-OPERATE ETC MV	2C:20-10B	4
W-2019-000571-1506	901	SIMPLE ASSAULT-PURPOSELY/KNOWINGLY CAUSE BOD. INJURY	2C:12-1A(1)	DP

Sentencing Statement

It is, therefore, on 09/20/2019 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

On Count 1 of Accusation 19-07-1138-A, defendant is sentenced to an 18 month term of Probation on the condition he spend 28 days in the custody of the Warden of Ocean County Jail to run concurrent to Count 901 of W-2019-571-1506 with credit for time served of 28 days.

On Count 901 of W-2019-571-1506, defendant is sentenced to an 18 month term of Probation on the condition he spend 28 days in the custody of the Warden of Ocean County Jail to run concurrent to Count 1 of Accusation 19-07-1138-A with credit for time served of 28 days.

Defendant is to report to Probation immediately. Defendant it to comply with any and all conditions as established by Probation including, but not limited to substance abuse evaluations, random urine screens and recommendations for treatment.

Defendant must attend and complete a Batterer's Intervention Program.

Defendant is to obtain and maintain employment.

Counts 901 and 902 of W-2019-571-1506 and Count 3 of W-2019-575-1506 are dismissed.

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

(Cont...)

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

Total Custodial Term

000 Years 00 Months 028 Days

Institution Name

COUNTY JAIL

Total Probation Term

00 Years 18 Months

State of New Jersey v.
HARLAN, MATTHEW S

S.B.I. # 195912C Ind / Acc / Compl # 19-07-01138-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))		☒ 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)).																
<table style="width:100%;"> <tr> <th style="text-align: left;">Standard</th> <th style="text-align: left;">Doubled</th> </tr> <tr> <td>1st Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>2nd Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>3rd Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>4th Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>DP or _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>Petty DP _____ @ \$ _____</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 _____ @ \$ _____	_____ @ \$ _____			
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)																		
<table style="width:100%;"> <tr> <th>Counts</th> <th>Number</th> <th>Amount</th> </tr> <tr> <td>1, 901</td> <td>2 @</td> <td>\$ 50.00</td> </tr> <tr> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> </table> Total VCCO Assessment \$ 100.00				Counts	Number	Amount	1, 901	2 @	\$ 50.00	_____	@	\$ _____	_____	@	\$ _____	_____	@	\$ _____
Counts	Number	Amount																
1, 901	2 @	\$ 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) ☒ 2 Offenses @ \$ 75.00 Total: \$ 150.00																
Probation Supervision Fee (N.J.S.A. 2C:45-1d) ☒ \$ 10.00		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 \$ 500.00		Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10) ☐ \$ _____																
Restitution Joint & Several \$ _____		Total Financial Obligation \$ 780.00																
Details Fines and penalties are payable through Probation.																		
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		☐ Non-resident driving privileges revoked																
Number of Months 12		Start Date 09/20/2019 End Date 09/20/2020																
Details																		
Driver's License Number H06205290002782		Jurisdiction NJ																
If the court is unable to collect the license, complete the following: Defendant's Address 68 DIAMOND LANE																		
City HOWELL		State NJ	Zip 07731-0000															
Date of Birth 02/17/1978		Sex ☐ M ☐ F	Eye Color															

State of New Jersey v.
HARLAN, MATTHEW S

S.B.I. #195912C Ind / Acc / Complt # 19-07-01138-A

Continuation

SENTENCING STATEMENT (Cont.)

Defendant's driver's license is suspended for one year.

Bail is discharged.

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 19001832

Defendant's Name: Matthew Harlan

before Judge: Cunningham

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			VCCO Assmt*
					Time	Fine	
19-07-1138	1	Joyriding	40	Max	18month	2500	50
		Aggravated Assault		Max			
		2C:20-10b		Max			
				Max			
W 2019 571506	1	Simple Assault 2C:	DP	Max	6month	2500	50
Your total exposure as the result of this plea is 2-1A				Total	2yrs	1000	

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]

M

* 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
W2019 S71 1506	2	Terroristic threats
W2019 S71 1506	3	Criminal mischief
W2019 S75 1506	2	Theft

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

TLS @ Plea Probation for all both charges
release on conditions today
follow treatment recommendations
no contact w/ victim

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:

None

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 7/26/19 Defendant Matthew Healan

Defense Attorney Antism

Prosecutor Alyssa Mandara

[] 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.