

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

August 16, 2021

Via OPRA Machine: opra+request-25337-228d9203@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 16003194 – David Hale

Dear Sir/Madam:

Enclosed please find the Complaint Warrant and Affidavit pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq.

Please be advised that there are no responsive documents pursuant to your request for Global Subject Activity Report, Preliminary Law Enforcement Incident Report, Judgment of Conviction, Criminal Information form, Plea Form, Arrest Reports, and Indictments.

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: Thursday, August 12, 2021 3:40 PM
To: Prestia , Donna
Subject: FW: [EXTERNAL] OPRA request - Case reports

-----Original Message-----

From: Resident <opra+request-25337-228d9203@requests.opramachine.com>
Sent: Thursday, August 12, 2021 3:38 PM
To: Khajezadeh, Dina <DKhajezadeh@co.ocean.nj.us>
Subject: [EXTERNAL] OPRA request - Case reports

This message has originated from an External Source. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

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:

Michele Hawkes (Case # 16002209)
Lesley Finelli (Case # 16002417)
Stephen Szymanski (Case # 16002463)
Timothy Cole (Case # 16002487)
David Hale (Case # 16002517 & Case # 16003194) Joshua Preston (Case # 16002738)

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-25337-228d9203@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,FmGC3EDE2ojj-

COMPLAINT - WARRANT

COMPLAINT NUMBER

1506**W****2016****001149**

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 1 CO-DEFTS 1 POLICE CASE #: 53683-16

COMPLAINANT DANIEL KENNY
NAME: 401 CHAMBERS BRIDGE RD
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY**VS.****DAVID J HALE**

ADDRESS: 1737 W PRINCETON AVE

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

SEX: M EYE COLOR: BROWN

DOB: 09/08/1995

DRIVER'S LIC. #:

DL STATE: NJ

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

By certification on or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 08/22/2016 in **BRICK TWP**, **OCEAN** County, NJ did:
WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF ROBBERY
SPECIFICALLY BY PUNCHING THE VICTIM (B.B.) IN THE FACE THEN REMOVING \$275.00
FROM THE VICTIMS POCKET.

in violation of:

Original Charge 1) 2C:15-1A(1)

2)

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 wilfully false, I am subject to punishment.

Signed: **DANIEL KENNY**Date: **08/22/2016**

DATE OF FIRST APPEARANCE

TIME

DATE OF ARREST

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****08/22/2016**

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: **50,000.00** FULL 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	2016	001149	DAVID J HALE	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		

FTA Bail Information				Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	☐ Bail Recog. Attached
Released on Bail (✓)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____		Date Referred to County Prosecutor: _____
Date of First Appearance: _____		☐ Advised of Rights by _____				Defendant Desires Counsel: ☐ Yes ☐ No

Prosecuting Attorney Information				Defense Counsel Information					
Name: _____				Name: _____					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:15-1A(1)		2)		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

ORIGINAL – Court Action

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJICDR2 8/1/2005

Agency: Brick Township Police Department
Superior Court

AFFIDAVIT IN SUPPORT FOR
ARREST WARRANT

State of New Jersey
v.

Defendant(s)
David Hale Jr.

State of New Jersey :
County of Ocean : ss.

AFFIDAVIT FORM TO BE USED WHEN NO OTHER FORM APPLIES

I Ptl. Daniel Kenny #253, of full age, being duly sworn according to law upon his/her oath, deposes and says:

1. I am employed as a Police Officer with the Brick Township Police Department.
2. In the course of my duties I have had occasion to investigate: *(state all indictable charges you are signing for which this affidavit applies)*

Robbery 2C:15-1a(1)
3. I have probable cause to believe David Hale Jr. committed the above offense(s).
4. I am charging the defendant based on the following proof. *This must be completed. Do not simply restate the allegations set forth in the complaint. Provide to the court the proof you have to show this defendant committed the above offenses.*

David Hale Jr punched the victim (B.B) in the face multiple times and removed \$275.00 from the victims pocket. Hale Jr. then threw the individual to the ground, kicked him in the face and stated "call the police and I know where you live." Hale Jr. then fled the area in an unknown direction. The victim sustained a small cut on his bottom lip and was bleeding from the mouth.

5. Statement of defendant implicating him/herself? ☐ Yes ☒ No
6. Was the arrest the result of a 911 call? ☐ Yes No ☒
If yes, was the 911 call preserved for evidence? ☐ Yes No ☐

7. Was a child under the age of 18 years involved or present during the commission of the offense or the subsequent arrest? ☐ Yes ☒ No
8. If the answer to Question 7 was yes, did you or someone from your department report the incident to DYFS at 877 NJ ABUSE (877-652-2873)? ☐ Yes ☐ No.

**THE FOLLOWING APPLIES TO ANY CHARGES SECOND DEGREE OR GREATER
(Do not leave blank)**

9. I am signing charges which are second degree or greater. ☒ Yes ☐ No
- a. If the answer to the above is yes, name the Assistant Prosecutor who approved the signing of the complaint. Alyssa Mandara
- b. I am signing charges involving a Crime with Bail Restrictions. (N.J.S. 2A:162-12) (Any drug related second degree crime is a crime with bail restrictions) ☐ Yes ☒ No
- c. If the answer to Question 9b is yes please note the complaint number and the count number. Complaint No.: Count No.:

PA L. r
Officer Signature

Sworn and subscribed to before me
This 22 day of 8, 2016

Notary or Judicial Officer Signature