

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 24, 2021

Via OPRA Machine: opra+request-25546-d918c250@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 21002375 - Jose Serrano-Robles

Dear Sir/Madam:

Enclosed please find the Complaint Warrant, Affidavit and Preliminary Law Enforcement Incident Report pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq. 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 the Global Subject Activity Report, Arrest Reports, Indictments, Plea Forms, Sentencing Information 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/ec

Enclosures

FW: [EXTERNAL] OPRA request - Case reports

Khajezadeh, Dina

Sat 8/21/2021 1:53 PM

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

Categories: IMPORTANT DOCUMENTS

Sent from my Verizon, Samsung Galaxy smartphone

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

From: Resident <opra+request-25546-d918c250@requests.opramachine.com>

Date: 8/21/21 2:38 PM (GMT-05:00)

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:

Douglas Chuck (Case # 16001943)

Henry Tice (Case # 21002129)

Luis Garcia (Case # 21002220)

Michael Stallworth (charged 7/26/21) **21002118**

Jose Serrano-Robles (charged 8/16/21) **21002375**

Yours sincerely,

Resident

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1526	W	2021	000505	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
SEASIDE HGTS MUNICIPAL COURT 116 SHERMAN AVE SEASIDE HEIGHTS NJ 08751-0000 732-830-2202 COUNTY OF: OCEAN				ADDRESS: 517 E CUMBERLAND ST LEBANON PA 17042-0000	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21SH07865		DEFENDANT INFORMATION	
COMPLAINANT NAME: MICHAEL MCCURDY		SEX: M EYE COLOR: BROWN		DOB: 08/04/1978	
116 SHERMAN AVENUE		DRIVER'S LIC. #:		DL STATE: PA	
ATTN WARRANTS		SOCIAL SECURITY #:		SBI #: 495552H	
SEASIDE HEIGHTS NJ 08751		TELEPHONE #:		(c)	
		LIVESCAN PCN #:		152602003475	

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 **08/16/2021** in **SEASIDE HEIGHTS BORO**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A WEAPON SPECIFICALLY A HANDGUN WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST ANOTHER IN VIOLATION OF N.J.S.A 2C:39-4A(1)

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A WEAPON, SPECIFICALLY A HANDGUN WITHOUT OBTAINING A PERMIT TO CARRY THE SAME IN VIOLATION OF N.J.S.A 2C:39-5B(1)

WITHIN THE JURISDICTION OF THIS COURT, HAVING BEING CONVICTED IN THIS STATE OF PENNSYLVANIA OF THE CRIME OF BURGLARY IN VIOLATION OF PENNSYLVANIA CC3502A ON MAY 31, 2006. DID POSSESS A WEAPON SPECIFICALLY A HANDGUN IN VIOLATION OF N.J.S.A 2C:39-7B(1)

WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT TO CAUSE THE DEATH OF in violation of:

Original Charge	1) 2C:39-4A(1)	2) 2C:39-5B(1)	3) 2C:39-7B(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: MICHAEL MCCURDY Date: 08/16/2021

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of **OCEAN** at the following address: **OCEAN SUPERIOR COURT**
120 HOOPER AVE
TOMS RIVER NJ 08753-0000
 Date of Arrest: **08/16/2021** Appearance Date: Time: Phone: **732-504-0700**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

☐ Probable cause IS NOT found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator Date Signature of Judge Date

☒ Probable cause IS found for the issuance of this complaint. JACQUELINE HOLIDAY JUDICIAL OFFICER 08/16/2021
 Signature and Title of Judicial Officer Issuing Warrant Date

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

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

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets or Other Complaints

☒ Serious Personal Injury/ Death Involved

Special conditions of release:

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

ORIGINAL

COMPLAINT - WARRANT

COMPLAINT NUMBER

1526**W****2021****000505**

STATE V.

JOSE M SERRANO-ROBLES

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ANOTHER, SPECIFICALLY BY SHOOTING THE VICTIM ERIC MACFARLINE IN VIOLATION OF
N.J.S.A 2C:5-1(A)1 , 2C: 11-3A(1)

Original Charge

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

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1526**W****2021****000505**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**JOSE M SERRANO-ROBLES****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:39-4A (1)

2) 2C:39-5B (1)

3) 2C:39-7B (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

1526 **W** **2021** **000505**

COURT CODE PREFIX YEAR SEQUENCE NO.

STATE V.

JOSE M SERRANO-ROBLES

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 _____
Date of First Appearance: _____		☐ Advised of Rights by _____			Defendant Desires Counsel: ☐ Yes ☐ No

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

Original Charge	4) 2C:5-1A(1) 2C:11-3A(1)						
Amended Charge							
Waiver Indt/Jury							
Plea/Date of Plea	Plea:	Date:		Plea:	Date:		
Adjudication (* see code)	Finding Code:	Date:		Finding Code:	Date:		
Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp	
Probation Term			Susp. Imp			Susp. Imp	
Cond. Discharge Term							
Community Service							
D/L Suspension Term							
Fines/Costs	Fines:	Costs:		Fines:	Costs:		
VCCB/SNSF	VCCB:	SNSF:		VCCB:	SNSF:		
DEDR/Lab Fee	DEDR:	LAB:		DEDR:	LAB:		
CD Fee/Drug Ed Fnd	CD:	DAEF:		CD:	DAEF:		
DV Surch/Other Fees	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 4 of 10

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1526	W	2021	000505
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
SEASIDE HGTS MUNICIPAL COURT 116 SHERMAN AVE SEASIDE HEIGHTS NJ 08751-0000 732-830-2202 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21SH07865	
COMPLAINANT NAME: MICHAEL MCCURDY		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 08/04/1978 DRIVER'S LIC. # [REDACTED] DL STATE: PA SOCIAL SECURITY #: [REDACTED] SBI #: 495552H TELEPHONE #: [REDACTED] (c) LIVSCAN PCN #: 152602003475	
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 08/16/2021 in SEASIDE HEIGHTS BORO, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A WEAPON SPECIFICALLY A HANDGUN WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST ANOTHER IN VIOLATION OF N.J.S.A 2C:39-4A(1) WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A WEAPON, SPECIFICALLY A HANDGUN WITHOUT OBTAINING A PERMIT TO CARRY THE SAME IN VIOLATION OF N.J.S.A 2C:39-5B(1) WITHIN THE JURISDICTION OF THIS COURT, HAVING BEING CONVICTED IN THIS STATE OF PENNSYLVANIA OF THE CRIME OF BURGLARY IN VIOLATION OF PENNSYLVANIA CC3502A ON MAY 31, 2006. DID POSSESS A WEAPON SPECIFICALLY A HANDGUN IN VIOLATION OF N.J.S.A 2C:39-7B(1) WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT TO CAUSE THE DEATH OF in violation of:			
Original Charge	1) 2C:39-4A(1)	2) 2C:39-5B(1)	3) 2C:39-7B(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: MICHAEL MCCURDY Date: 08/16/2021			
You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of OCEAN at the following address: OCEAN SUPERIOR COURT 120 HOOPER AVE TOMS RIVER NJ 08753-0000 Date of Arrest: 08/16/2021 Appearance Date: Time: Phone: 732-504-0700			
PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT			
☐ Probable cause IS NOT found for the issuance of this complaint.			
Signature of Court Administrator or Deputy Court Administrator		Date	Signature of Judge Date
☒ Probable cause IS found for the issuance of this complaint. JACQUELINE HOLIDAY JUDICIAL OFFICER 08/16/2021 Signature and Title of Judicial Officer Issuing Warrant Date TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT. Bail Amount Set: by: (if different from judicial officer that issued warrant)			
☐ Domestic Violence – Confidential		☐ Related Traffic Tickets or Other Complaints	☒ Serious Personal Injury/ Death Involved
Special conditions of release: ☐ No phone, mail or other personal contact w/victim ☐ No possession firearms/weapons ☐ Other (specify):		COMPLAINT - WARRANT (DEFENDANT'S COPY) Page 5 of 10 NJ/CDR2 1/1/2017	

COMPLAINT - WARRANT

COMPLAINT NUMBER

1526**W****2021****000505**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**JOSE M SERRANO-ROBLES**

ANOTHER, SPECIFICALLY BY SHOOTING THE VICTIM ERIC MACFARLINE IN VIOLATION OF
N.J.S.A 2C:5-1(A)1 , 2C: 11-3A(1)

Original Charge

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

Amended Charge

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

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1526**W****2021****000505**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

SEASIDE HGTS MUNICIPAL COURT
116 SHERMAN AVE
SEASIDE HEIGHTS NJ 08751-0000
732-830-2202 COUNTY OF: OCEAN

of CHARGES 4 CO-DEFTS POLICE CASE #: 21SH07865

COMPLAINANT NAME: MICHAEL MCCURDY
116 SHERMAN AVENUE
ATTN WARRANTS
SEASIDE HEIGHTS NJ 08751

THE STATE OF NEW JERSEY**VS.****JOSE M SERRANO-ROBLES**

ADDRESS: 517 E CUMBERLAND ST

LEBANON**PA 17042-0000****DEFENDANT INFORMATION**

SEX: M EYE COLOR: BROWN DOB: 08/04/1978
DRIVER'S LIC. #. [REDACTED] DL STATE: PA
SOCIAL SECURITY #: [REDACTED] SBI #: 495552H
TELEPHONE #: [REDACTED] (c)
LIVESCAN PCN #: 152602003475

To any Law Enforcement Official of New Jersey, You are commanded to transport this defendant to the Warden of this county who is required to keep the defendant in custody until a release or detention decision is made.

	Offense	Aux Offense	Drug Code	Degree	Offense Description
1.	2C:39-4A(1)			2	POSS OF WEAPON
2.	2C:39-5B(1)			2	UNLAWFUL POSS W
3.	2C:39-7B(1)			2	CERT PERSON NOT
4.	2C:5-1A(1)	2C:11-3A(1)		1	CRIMINAL ATTEMP

Commitment Reason: Criminal Justice Reform

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

Date of Arrest: 08/16/2021

Phone: 732-504-0700

JACQUELINE HOLIDAY JUDICIAL OFFICER

08/16/2021

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT**Page 7 of 10**

NJ/CDR2 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1526	W	2021	000505
SEASIDE HGTS MUNICIPAL COURT 116 SHERMAN AVE SEASIDE HEIGHTS NJ 08751-0000 732-830-2202 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21SH07865	
COMPLAINANT NAME: MICHAEL MCCURDY 116 SHERMAN AVENUE ATTN WARRANTS SEASIDE HEIGHTS NJ 08751		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 08/04/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: PA SOCIAL SECURITY #: [REDACTED] SBI #: 495552H TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 152602003475	

THE STATE OF NEW JERSEY

VS.

JOSE M SERRANO-ROBLES

ADDRESS: 517 E CUMBERLAND ST

LEBANON

PA 17042-0000

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:
SEE APPENDIX A

Affidavit of Probable Cause

Page 8 of 10

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1526**W****2021****000505**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****JOSE M SERRANO-ROBLES**

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: MICHAEL MCCURDY LAW ENFORCEMENT OFFICER

Date: 08/16/2021

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

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1526	W	2021	000505	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
SEASIDE HGTS MUNICIPAL COURT 116 SHERMAN AVE SEASIDE HEIGHTS NJ 08751-0000 732-830-2202 COUNTY OF: OCEAN				ADDRESS: 517 E CUMBERLAND ST LEBANON PA 17042-0000	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21SH07865		DEFENDANT INFORMATION	
COMPLAINANT NAME: MICHAEL MCCURDY 116 SHERMAN AVENUE ATTN WARRANTS SEASIDE HEIGHTS NJ 08751				SEX: M EYE COLOR: BROWN DOB: 08/04/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: PA SOCIAL SECURITY #: [REDACTED] SBI #: 495552H TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 152602003475	

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
 - *Stationhouse interview room camera
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
- The defendant was known to the victim as:
 - Friend
- The victim was injured and:
 - Victim transported to medical facility
- A weapon was involved in the incident:
 - Handgun
- Physical evidence was seized/recovered:
 - Weapon(s)
 - Other Type(s) of physical evidence CELL PHONES
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Admission by the defendant
- The case involves a search warrant(s).
- The case involves a consent search.
- The investigation involved the seizure of one or more cellphones, computers or similar electronic devices.
List the type of device(s) and total number of each recovered: 5 CELLPHONES

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: MICHAEL MCCURDY LAW ENFORCEMENT OFFICER Date: 08/16/2021

Preliminary Law Enforcement Incident Report

Page 10 of 10

7/20/2018

STATE V. JOSE M. SERRANO-ROBLES
APPENDIX A - AFFIDAVIT OF PROBABLE CAUSE

- A. On Monday, August 16, 2021, at approximately 0155 hours, a 911 call was placed to Ocean County Communications Center in reference to a report of shots fired at Room 107 of the La Fontana Motel, in Seaside Heights, New Jersey. The caller, Sandra Macfaline stated that her husband, Eric Macfaline, was shot. Members of Seaside Heights Police Department responded to the scene and located a male in the room with an apparent gunshot wound to his head. The male was transported to Jersey Shore University Medical Center where he is being treated for his injury and listed as stable.
- B. On August 16, 2021, upon first responder arrival, two handguns were recovered from room 107 of the La Fontana Motel. One handgun recovered is a .40 caliber Semiautomatic Action Pistol bearing Serial number #2080807. The second handgun recovered is a Kel-Tec P-11 9mm Semiautomatic Action Pistol, bearing Serial number #124738.
- C. On August 16, 2021, Detective Denis Mitchell of the Ocean County Prosecutor's Office, Major Crime Unit, and the undersigned, conducted an audio-video recorded statement of Sandra MacFaline.
- D. During the interview MacFaline relayed that she came to Seaside Heights the day prior, August 15, 2021, with her husband, Eric MacFaline, and an individual she referred to as Joel from Lebanon, Pennsylvania. MacFaline identified Joel as Jose Serrano-Robles. MacFaline related that she as known Joel since he was approximately fifteen (15) years old and that he has been living with them since January of this year.
- E. MacFaline advised that friends of Joel's also came to Seaside at approximately 1600 hours. The friends rented the room next door at the motel, identified as Room 106. MacFaline stated that her husband, Eric, and Joel were drinking and smoking crack throughout the day. They last smoked crack together at approximately 2000 hours. MacFaline and Eric went to bed at approximately 2100 hours. At approximately 0200 hours, on August 16, 2021, Joel came into the room and asked if MacFaline and Eric wanted to smoke weed. MacFaline declined, but woke Eric to ask him if he wanted to smoke with Joel. Eric then got out of bed. A short time later, while

MacFaline was looking at her phone, she heard what she believed to be two (2) gun shots. Upon looking up from her phone, Joel stated words to the effect of "I had to. Talk shit." Joel then threw a gun on the bed and left the room. Upon realizing that Eric was laying on the ground, MacFaline called 9-1-1.

- F. MacFaline knows Joel to carry what she described as a gray handgun. MacFaline was aware that Joel brought a handgun to Seaside from Lebanon.
- G. MacFaline subsequently consented to the search of her cell phone and vehicle. MacFaline provided the phone number for Serrano-Robles.
- H. Upon reviewing the surveillance video from the La Fontana Motel, Serrano-Robles is observed entering room 107 following the shooting.
- I. On August 16, 2021, Detective Testa of the Ocean County Prosecutor's Office, Major Crime Unit, made application to the Court telephonically to search rooms 106 and 107 of the La Fontana Motel located at 135 Grant Avenue, Seaside Heights, New Jersey, as well as a real-time PING location of the suspect's cellular phone. The telephonic Search Warrants were subsequently approved by Supervising Assistant Prosecutor Kristin Pressman and authorized by the Honorable Wendel E. Daniels, P.J.Cr.P. at 0728 hours.
- J. On August 16, 2021, Detective Denis Mitchell of the Ocean County Prosecutor's Office, Major Crime Unit, and the undersigned conducted an audio-video recorded statement of Daisy Muniz who had been staying at room 106 at the La Fontana Motel.
- K. During the interview Muniz relayed that she came to Seaside the day prior with two friends that she identified as Court and Jose. The two were subsequently identified as Courtney Thome and Jose Ortiz-Santana, respectively. The three of them stayed in the room next to an individual she identified as "Loco" and a man and his wife. Muniz stated that at some point in the evening, she and Loco went to the boardwalk. A little after midnight, the two returned to the motel room. Upon returning to the room, Thome and Ortiz-Santana went to the boardwalk. Muniz and Loco hung out in the room for approximately thirty (30) minutes. Loco then went back to his room. Approximately thirty (30) minutes later Muniz heard two bangs.

Muniz indicated that Loco then enters her room however does not make any statements in regard to the bangs she heard and then shortly leaves. A short while later, a female came into the room and said her husband was shot twice in the face.

- L. Muniz subsequently consented to the search of her cellphone.
- M. On August 16, 2021, Detective Denis Mitchell of the Ocean County Prosecutor's Office, Major Crime Unit, and the undersigned conducted an audio-video recorded statement of Courtney Thome.
- N. During the interview Thome relayed that she arrived in Seaside the day prior with a male she identified as "Flaco" and "D". In reference to the shooting, Thome advised that she and Flaco went for a walk and by the time they got back the police were at the motel. Thome could not provide any further information pertaining to this investigation.
- O. On August 16, 2021, Detective Denis Mitchell of the Ocean County Prosecutor's Office, Major Crime Unit, and the undersigned conducted an audio-video recorded statement of Jose Ortiz-Santana.
- P. During the interview Ortiz-Santana relayed that he arrived in Seaside the day prior with two females he identified as "Court" and "D". In reference to the shooting, Ortiz-Santana advised that he and Courtney went for a walk and by the time they got back the police were at the motel. Ortiz-Santana could not provide any further information pertaining to this investigation.
- Q. On August 16, 2021, Detective Mayberry of the Seaside Heights police department responded to the Toms River Bus Terminal to search the area for Jose Serrano-Robles. Mayberry located Serrano-Robles on a bench outside of the terminal. Investigating detectives responded and Serrano-Robles was taken into custody without incident. He was subsequently transported to the Seaside Heights Police Department by members of the Ocean County Sheriff's Office.
- R. On August 16, 2021, Detective Denis Mitchell and the undersigned conducted an audio/video recorded interview of Serrano-Robles. Serrano-Robles was advised of the charges he was facing and read the Ocean County Prosecutor's Office Miranda Form verbatim. Serrano-Robles indicated he understood the form and subsequently signed the

same indicating that he wished to speak with detectives without an attorney present.

S. During the interview, Serrano-Robles relayed that he came to Seaside the day prior with Eric and Sandy. He was drinking and smoking crack throughout the day. Serrano-Robles advised that later during the night he was laying in his bed smoking weed and Eric was sitting on the other bed. Serrano-Robles stated that he pulled a gun from his waistband and then heard two bangs. Serrano-Robles stated that he didn't remember pulling the trigger but knew he shot Eric. Following the shooting, Serrano-Robles dropped the gun and left the area.

T. On August 16, 2021, the aforementioned court authorized search warrants were executed. The following items of evidentiary value were collected from Room 107 of the La Fontana Motel: One (1) Smartphone in a red and black case, one (1) Smartphone in a black case, two (2) 9mm shell casings, one (1) red head rag, and one (1) projectile.

U. On August 16, 2021, the following items of evidentiary value were collected from Room 106 of the La Fontana Motel: One (1) Black Samsung Smartphone, One (1) Blue iPhone in a black "Otterbox" case, and One (1) iPhone in a Purple and Teal case.

V. [REDACTED]
[REDACTED]
[REDACTED]

W. On Monday, August 16, 2021, the facts pertaining to this investigation were relayed to Supervising Assistant Prosecutor Kristin Pressman. Supervising AP Pressman subsequently approved charging Jose Serrano-Robles with Attempted Murder in violation of N.J.S.A. 2C:5-1 and 2C:11-3a, Possession of a Weapon for an Unlawful Purpose in violation of N.J.S.A. 2C:39-4(a), Unlawful Possession of a Weapon in violation of N.J.S.A. 2C:39-5(b), and Certain Persons Not to Have Weapons in violation of 2C:39-7(b)(1).

Date: August 16, 2021

s/ Detective Mike McCurdy #127

Detective Mike McCurdy #127

Seaside Heights Police Department