

COMPLAINT - WARRANT

COMPLAINT NUMBER

1507**W****2021****001084**

COURT CODE

PREFIX

YEAR

SEQUENCE NO

TOMS RIVER MUNICIPAL COURT**255 OAK AVENUE****TOMS RIVER****NJ 08753-0000****732-797-3914** COUNTY OF: **OCEAN**

of CHARGES

2

CO-DEFTS

POLICE CASE #:

21-200660

COMPLAINANT NAME:

DET J MASTRONARDY**POBX876/255OAKAVE****ATTN WARRANTS****TOMS RIVER****NJ 08753****THE STATE OF NEW JERSEY****VS.****BRIAN DIMARIA**

ADDRESS:

203 ALABAMA AVE**TOMS RIVER****NJ 08753-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **07/16/1983**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #: **728624C**

TELEPHONE #:

LIVSCAN PCN #: **150703016263**

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, (\$15 IN CASH, A BLACK POCKET KNIFE VALUED AT \$10, AN EMPLOYEE ID BELONGING TO THE VICTIM, 2 PAIRS OF SUNGLASSES VALUED AT \$50 AND THE VICTIM'S GOLD WEDDING BAND VALUED AT \$800) BELONGING TO (MATTHEW SMITH) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY ENTERING INTO THE VICTIM'S UNLOCKED MV (2017 VOLKSWAGON JETTA - [REDACTED]) DURING THE OVERNIGHT HOURS OF 8/19/21 - 8/20/21 AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A

WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A MV (2017 VOLKSWAGON JETTA - NJ REG: [REDACTED]) BELONGING TO (MATTHEW SMITH) AT (917 FAIRVIEW DR), WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN (THEFT) SPECIFICALLY BY, ENTERING THE VICTIM'S UNLOCKED MOTOR VEHICLE DURING THE

in violation of:

Original Charge

1) **2C:20-3A**2) **2C:18-2A(1)**

3)

Amended Charge

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

Signed:

DET J MASTRONARDYDate: **08/27/2021**

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 AVEDate of Arrest: **08/21/2021** Appearance Date:**TOMS RIVER****NJ 08753-0000**

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. **ERIN LANGE JUDICIAL OFFICER** **08/27/2021**

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

1507

W

2021

001084

STATE V.

BRIAN DIMARIA

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

OVERNIGHT HOURS OF 8/19 - 8/20/21 AND REMOVING PROPERTY BELONGING TO THE VICTIM,
IN VIOLATION OF NJ: 2C:18-2A(1)

Original Charge

Amended Charge

COMPLAINT - WARRANT

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NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.					
1507	W	2021	001084	BRIAN DIMARIA					
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:20-3A		2) 2C:18-2A(1)		3)			
Amended Charge									
Waiver Indt/Jury									
Plea/Date of Plea		Plea: Date:		Plea: Date:		Plea: Date:			
Adjudication (* see code)		Finding Code: Date:		Finding Code: Date:		Finding Code: Date:			
Jail Term		Jail time credit Susp. Imp		Jail time credit Susp. Imp		Jail time credit Susp. Imp			
Probation Term		Susp. Imp		Susp. Imp		Susp. Imp			
Cond. Discharge Term									
Community Service									
D/L Suspension Term									
Fines/Costs		Fines: Costs:		Fines: Costs:		Fines: Costs:			
VCCB/SNSF		VCCB: SNSF:		VCCB: SNSF:		VCCB: SNSF:			
DEDR/Lab Fee		DEDR: LAB:		DEDR: LAB:		DEDR: LAB:			
CD Fee/Drug Ed Fnd		CD: DAEF:		CD: DAEF:		CD: DAEF:			
DV Surch/Other Fees		DV: Other:		DV: Other:		DV: Other:			
Restitution Beneficiary:									
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:					* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID				
Related Traffic Tickets and Complaints:									
JUDGE'S SIGNATURE					DATE				
					COMPLAINT - WARRANT (Court Action)				
					Page 3 of 10 NJ/CDR2 1/1/2017				

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.					
1507	W	2021	001084	BRIAN DIMARIA					
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									
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:					* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID				
Related Traffic Tickets and Complaints:									
JUDGE'S SIGNATURE					COMPLAINT - WARRANT (Court Action)				
DATE					Page 4 of 10 NJ/CDR2 1/1/2017				

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1507	W	2021	001084	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-200660		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVSCAN PCN #: 150703016263	
COMPLAINANT NAME: DET J MASTRONARDY				DL STATE: NJ SBI #: 728624C	

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, (\$15 IN CASH, A BLACK POCKET KNIFE VALUED AT \$10, AN EMPLOYEE ID BELONGING TO THE VICTIM, 2 PAIRS OF SUNGLASSES VALUED AT \$50 AND THE VICTIM'S GOLD WEDDING BAND VALUED AT \$800) BELONGING TO (MATTHEW SMITH) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY ENTERING INTO THE VICTIM'S UNLOCKED MV (2017 VOLKSWAGON JETTA -) DURING THE OVERNIGHT HOURS OF 8/19/21 - 8/20/21 AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A

WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A MV (2017 VOLKSWAGON JETTA - NJ REG:) BELONGING TO (MATTHEW SMITH) AT (917 FAIRVIEW DR), WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN (THEFT) SPECIFICALLY BY, ENTERING THE VICTIM'S UNLOCKED MOTOR VEHICLE DURING THE

in violation of:

Original Charge	1) 2C:20-3A	2) 2C:18-2A(1)	3)
Amended Charge			

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

Signed: DET J MASTRONARDY Date: 08/27/2021

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: 08/21/2021 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. ERIN LANGE JUDICIAL OFFICER 08/27/2021
 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)

COMPLAINT - WARRANT

COMPLAINT NUMBER

1507

W

2021

001084

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.

BRIAN DIMARIA

OVERNIGHT HOURS OF 8/19 - 8/20/21 AND REMOVING PROPERTY BELONGING TO THE VICTIM,
IN VIOLATION OF NJ: 2C:18-2A(1)

Original Charge

Amended Charge

COMPLAINT - WARRANT (DEFENDANT'S COPY)

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NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1507**W****2021****001084**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TOMS RIVER MUNICIPAL COURT
255 OAK AVENUE
TOMS RIVER NJ 08753-0000
732-797-3914 COUNTY OF: OCEAN

of CHARGES 2 CO-DEFTS POLICE CASE #: 21-200660

COMPLAINANT DET J MASTRONARDY
NAME: POBX876/255OAKAVE
ATTN WARRANTS
TOMS RIVER NJ 08753

*THE STATE OF NEW JERSEY**VS.***BRIAN DIMARIA**

ADDRESS: 203 ALABAMA AVE

TOMS RIVER NJ 08753-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN DOB: 07/16/1983
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: 728624C
TELEPHONE #: ()
LIVESCAN PCN #: 150703016263

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

	Offense	Aux Offense	Drug Code	Degree	Offense Description
1.	2C:20-3A			3	THEFT BY UNLAWF
2.	2C:18-2A(1)			3	BURGLARY-ENTERI
3.					
4.					

Commitment Reason: Criminal Justice Reform

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

Date of Arrest: 08/21/2021

Phone: 732-504-0700

ERIN LANGE JUDICIAL OFFICER

08/27/2021

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			
1507	W	2021	001084
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-200660	
COMPLAINANT DET NAME: J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 728624C TELEPHONE #: () LIVESCAN PCN #: 150703016263	

THE STATE OF NEW JERSEY

VS.

BRIAN DIMARIA

ADDRESS: **203 ALABAMA AVE**

TOMS RIVER NJ 08753-0000

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:
The defendant (Brian Dimaria) was arrested on 8/21/21 after he was observed on surveillance footage breaking into an unlocked MV at 1285 Linda Dr (Master Case #21-39388). He was located at the Wawa (37/Garfield) matching the description of the suspect and was in possession of the keys to a stolen MV out of Howell. A Search Warrant was obtained on the vehicle and additional proceeds from burglaries to numerous unlocked MV's in Toms River, Howell and Lakewood were recovered as a result. Specifically for this case, the employee ID belonging to the victim (Matthew Smith) was recovered from the vehicle.

Affidavit of Probable Cause

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1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**W****2021****001084**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****BRIAN DIMARIA**

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER

Date: 08/27/2021

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

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
1507	W	2021	001084
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-200660	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 728624C TELEPHONE #: () LIVESCAN PCN #: 150703016263	

ADDRESS: **203 ALABAMA AVE**
TOMS RIVER NJ 08753-0000

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.

- Physical evidence was seized/recovered:
 - Stolen Property, Approximate Value \$ 875
 - Drug Paraphernalia
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Officer observation
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is unlocked MV
- The case involves a search warrant(s).

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER Date: 08/27/2021

Preliminary Law Enforcement Incident Report

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7/20/2018

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1507	S	2021	001090
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21-39271	
COMPLAINANT NAME: PTL. W RESETAR POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVESCAN PCN #:	
		ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
		DL STATE: NJ	

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 08/20/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY TAKING A TD BANK AND BANK OF AMERICA CARD BELONGING TO THE VICTIM (SHANIA ASHLEY) FROM HER UNLOCKED VEHICLE AT 1143 EUGENE DR IN VIOLATION OF NJ: 2C:21-6C(1).

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE WAWA LOCATED AT 1775 HOOPER AVE IN THE AMOUNT OF \$64.42 AT APPROXIMATELY 0638 HOURS ON 8/20/21, IN VIOLATION OF NJ:2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6H	3) 2C:21-6H
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: PTL. W RESETAR Date: 08/27/2021

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN at the following address: OCEAN SUPERIOR COURT

120 HOOPER AVE

TOMS RIVER

NJ 08753-0000

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

Date of Arrest: 08/27/2021 Appearance Date: 08/27/2021 Time: 10:22PM Phone: 732-504-0700

Signature of Person Issuing Summons: PTL. W RESETAR Date: 08/27/2021

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets or Other Complaints

☐ Serious Personal Injury/ Death Involved

Special conditions of release:

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

ORIGINAL

COMPLAINT - SUMMONS

COMPLAINT NUMBER

1507**S****2021****001090**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

BANK CARD TO MAKE A PURCHASE AT THE 7-11 LOCATED AT 1741 HOOPER AVE IN THE AMOUNT OF \$62.38 AT APPROXIMATELY 0645 HOURS ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE DUNKIN DONUTS LOCATED AT 1781 HOOPER AVE IN THE AMOUNT OF \$18.87 AT APPROXIMATELY 0648 ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

Original Charge

4) 2C:21-6H

Amended Charge

COMPLAINT - SUMMONS

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NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1507**S****2021****001090**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA****FTA Bail Information**

Date Bail Set: _____

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed: _____

Date Referred to

County Prosecutor: _____

Date of First
Appearance: **08/27/2021**☐ 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:21-6C(1)**2) **2C:21-6H**3) **2C:21-6H**

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:**ORIGINAL - Court Action**

JUDGE'S SIGNATURE _____

DATE _____

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NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1507**S****2021****001090****STATE V.****BRIAN DIMARIA**

FTA Bail Information

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.C.

D.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to

County Prosecutor: _____

Date of First
Appearance:**08/27/2021**☐ 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:21-6H

Amended Charge

Waiver In/Out of 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 - SUMMONS (Court Action)**

JUDGE'S SIGNATURE

DATE

DATE

Page 4 of 11

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001090
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21-39271	
COMPLAINANT NAME: PTL. W RESETAR		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: () LIVESCAN PCN #:	

ADDRESS: **203 ALABAMA AVE**
TOMS RIVER NJ 08753-0000

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 **08/20/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY TAKING A TD BANK AND BANK OF AMERICA CARD BELONGING TO THE VICTIM (SHANIA ASHLEY) FROM HER UNLOCKED VEHICLE AT 1143 EUGENE DR IN VIOLATION OF NJ: 2C:21-6C(1).

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE WAWA LOCATED AT 1775 HOOPER AVE IN THE AMOUNT OF \$64.42 AT APPROXIMATELY 0638 HOURS ON 8/20/21, IN VIOLATION OF NJ:2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6H	3) 2C:21-6H
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: **PTL. W RESETAR** Date: **08/27/2021**

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **OCEAN**
at the following address: **OCEAN SUPERIOR COURT**
120 HOOPER AVE **TOMS RIVER NJ 08753-0000**
If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.
Date of Arrest: **08/27/2021** Appearance Date: **08/27/2021** Time: **10:22PM** Phone: **732-504-0700**
Signature of Person Issuing Summons: **PTL. W RESETAR** Date: **08/27/2021**

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

1507**S****2021****001090**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

BANK CARD TO MAKE A PURCHASE AT THE 7-11 LOCATED AT 1741 HOOPER AVE IN THE AMOUNT OF \$62.38 AT APPROXIMATELY 0645 HOURS ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE DUNKIN DONUTS LOCATED AT 1781 HOOPER AVE IN THE AMOUNT OF \$18.87 AT APPROXIMATELY 0648 ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

Original Charge

4) 2C:21-6H

Amended Charge

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

Page 6 of 11

NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. BRIAN DIMARIA	
1507	S	2021	001090		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				ADDRESS : 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21-39271		DEFENDANT INFORMATION	
COMPLAINANT PTL. W RESETAR NAME: POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753				SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

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 **08/20/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY TAKING A TD BANK AND BANK OF AMERICA CARD BELONGING TO THE VICTIM (SHANIA ASHLEY) FROM HER UNLOCKED VEHICLE AT 1143 EUGENE DR IN VIOLATION OF NJ: 2C:21-6C(1).

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE WAWA LOCATED AT 1775 HOOPER AVE IN THE AMOUNT OF \$64.42 AT APPROXIMATELY 0638 HOURS ON 8/20/21, IN VIOLATION OF NJ:2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6H	3) 2C:21-6H
-----------------	-----------------------	--------------------	--------------------

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

Signed: **PTL. W RESETAR TOMS RIVER POLICE DEPT** Date of Action: **08/27/2021**
Name, Title and Department of Officer

**RETURN OF SERVICE
INFORMATION**

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1507**S****2021****001090**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

BANK CARD TO MAKE A PURCHASE AT THE 7-11 LOCATED AT 1741 HOOPER AVE IN THE AMOUNT OF \$62.38 AT APPROXIMATELY 0645 HOURS ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN SERVICES, SPECIFICALLY BY USING THE VICTIM (SHANIA ASHLEY)'S STOLEN TD BANK CARD TO MAKE A PURCHASE AT THE DUNKIN DONUTS LOCATED AT 1781 HOOPER AVE IN THE AMOUNT OF \$18.87 AT APPROXIMATELY 0648 ON 8/20/21, IN VIOLATION OF NJ: 2C:21-6H

Original Charge

4) 2C:21-6H

Amended Charge

RETURN OF SERVICE INFORMATION**Page 8 of 11**

NJ/CDR1 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER			
1507	S	2021	001090
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21-39271	
COMPLAINANT PTL. W RESEAR NAME: POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: () LIVESCAN PCN #:	

THE STATE OF NEW JERSEY

VS.

BRIAN DIMARIA

ADDRESS: 203 ALABAMA AVE

TOMS RIVER

NJ 08753-0000

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:

On the morning of 8/21/21, TRPD units received a call for a burglary to a motor vehicle (X-Ref Case #21-39424) on Linda Dr. While checking the area, TRPD units observed a male subject matching the same description and wearing similar clothing inside of the Wawa (located at Route 37 E / Garfield) from MV burglaries on Eugene Dr as well as Linda Dr. Additionally, the stolen motor vehicle from Howell Police was located alongside the Wawa by TRPD units as well. TRPD Units positively identified the male subject, Brian Dimaria, and placed him under arrest.

Once at headquarters a search incident to arrest of his property was conducted. During the search a TD Bank credit card in Shaina's name was located in a wallet Brian had in his possession. It should be noted that per Shaina, this credit card was used to make several fraudulent charges at the following locations on 8/20/21;

- 1.Wawa located at 1775 Hooper Ave in the amount of \$64.42 (Approximately 0638 hours)
- 2.7-11 located at 1741 Hooper Ave in the amount of \$62.38 (Approximately 0645 hours)
- 3.Dunkin Donuts located at 1781 Hooper Ave in the amount of \$18.87 (Approximately 0648)

Additionally, an attempt to use the credit card at the Luke Oil located at 1820 Hooper Ave was made however, the card was declined (Approximately 0657). It should be noted the times listed on Shaina's bank account reflected a one hour of difference (incident occurred at 0638 hrs however is depicted as a charge at 0538 hours).

Affidavit of Probable Cause

Page 9 of 11

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001090**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****BRIAN DIMARIA**

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

Surveillance video from the 7-11

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: PTL.W RESETAR LAW ENFORCEMENT OFFICER

Date: 08/27/2021

Affidavit of Probable Cause**Page 10 of 11**

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> BRIAN DIMARIA ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
1507	S	2021	001090		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN					
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 21-39271		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] () LIVESCAN PCN #:	
COMPLAINANT NAME: PTL. W RESETAR POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753					

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/incident was recorded using electronic/surveillance via:
 - Surveillance Camera
- Physical evidence was seized/recovered:
 - Stolen Property, Approximate Value \$ -

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: PTL. W RESETAR LAW ENFORCEMENT OFFICER Date: 08/27/2021

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1507	S	2021	001094
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: SOCIAL SECURITY #: SBI #: TELEPHONE #: () LIVSCAN PCN #:	

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA
ADDRESS: 203 ALABAMA AVE
TOMS RIVER NJ 08753-0000

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 08/21/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIAN DIMARIA) DID POSSESS EIGHT (8) HYPODERMIC SYRINGES FOR CDS USE, IN VIOLATION OF NJ:2C:36-6

WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIANA DIMARIA) DID POSSESS NUMEROUS EMPTY WAX FOLDS (SUSPECT CDS- HEROIN), IN VIOLATION OF NJ:2C:36-2

in violation of:

Original Charge	1) 2C:36-6A	2) 2C:36-2A	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: DET J MASTRONARDY Date: 08/28/2021

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT

120 HOOPER AVE

TOMS RIVER

NJ 08753-0000

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

Date of Arrest: 08/28/2021 Appearance Date: 08/28/2021 Time: 12:00PM Phone: 732-504-0700

Signature of Person Issuing Summons: DET J MASTRONARDY Date: 08/28/2021

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

ORIGINAL

COMPLAINT – SUMMONS (Court Action)											
COMPLAINT NUMBER				STATE V.							
1507		S	2021		001094			BRIAN DIMARIA			
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: 08/28/2021				☐ 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:36-6A			2) 2C:36-2A			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	Jail time credit	Susp. Imp		
Probation Term		Susp. Imp	Susp. Imp	Susp. Imp	Susp. Imp	Susp. Imp	Susp. Imp	Susp. Imp	Susp. Imp		
Cond. Discharge Term											
Community Service											
D/L Suspension Term											
Fines/Costs		Fines:		Costs:		Fines:		Costs:		Fines: Costs:	
VCCB/SNSF		VCCB:		SNSF:		VCCB:		SNSF:		VCCB: SNSF:	
DEDR/Lab Fee		DEDR:		LAB:		DEDR:		LAB:		DEDR: LAB:	
CD Fee/Drug Ed Fnd		CD:		DAEF:		CD:		DAEF:		CD: DAEF:	
DV Surch/Other Fees		DV:		Other:		DV:		Other:		DV: Other:	
Restitution Beneficiary:											
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:								* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID			
Related Traffic Tickets and Complaints:											
JUDGE'S SIGNATURE						ORIGINAL - Court Action					
DATE						Page 2 of 7 NJ/CDR1 1/1/2017					

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001094
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: () LIVESCAN PCN #:	

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA

ADDRESS: **203 ALABAMA AVE**
TOMS RIVER NJ 08753-0000

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIAN DIMARIA) DID POSSES EIGHT (8) HYPODERMIC SYRINGES FOR CDS USE, IN VIOLATION OF NJ:2C:36-6

WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIANA DIMARIA) DID POSSESS NUMEROUS EMPTY WAX FOLDS (SUSPECT CDS- HEROIN), IN VIOLATION OF NJ:2C:36-2

in violation of:

Original Charge	1) 2C:36-6A	2) 2C:36-2A	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: **DET J MASTRONARDY** Date: **08/28/2021**

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **OCEAN**
at the following address: **OCEAN SUPERIOR COURT**
120 HOOPER AVE **TOMS RIVER NJ 08753-0000**

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

Date of Arrest: **08/28/2021** Appearance Date: **08/28/2021** Time: **12:00PM** Phone: **732-504-0700**

Signature of Person Issuing Summons: **DET J MASTRONARDY** Date: **08/28/2021**

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. BRIAN DIMARIA	
1507	S	2021	001094		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-39388		DEFENDANT INFORMATION	
COMPLAINANT DET J MASTRONARDY NAME: POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753				SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: TELEPHONE #: () LIVESCAN PCN #:	

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIAN DIMARIA) DID POSSESS EIGHT (8) HYPODERMIC SYRINGES FOR CDS USE, IN VIOLATION OF NJ:2C:36-6

WITHIN THE JURISDICTION OF THIS COURT, THE DEFENDANT (BRIANA DIMARIA) DID POSSESS NUMEROUS EMPTY WAX FOLDS (SUSPECT CDS- HEROIN), IN VIOLATION OF NJ:2C:36-2

in violation of:

Original Charge	1) 2C:36-6A	2) 2C:36-2A	3)
-----------------	--------------------	--------------------	----

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

Signed: **DET J MASTRONARDY TOMS RIVER POLICE DEPT** Date of Action: **08/28/2021**
 Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

Affidavit of Probable Cause

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1507	S	2021	001094
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT DET J MASTRONARDY NAME: POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753			
DEFENDANT INFORMATION		ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: TELEPHONE #: () 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:

During the execution of a stolen vehicle in which the defendant was in possession of the following was located in the vehicle's glove compartment:

SW Item #15 - One Trust Company of NJ Bank Bag containing CDS paraphernalia:

- Loose change
- Sunglass cases containing numerous (8) hypodermic syringes
- Altoids container containing empty wax folds
- Orthodontist container containing empty wax folds

Affidavit of Probable Cause

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1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001094**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****BRIAN DIMARIA**

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER

Date: 08/28/2021

Affidavit of Probable Cause**Page 6 of 7**

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1507	S	2021	001094
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA
ADDRESS: 203 ALABAMA AVE
TOMS RIVER NJ 08753-0000

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.

- Physical evidence was seized/recovered:
 - Drug Paraphernalia
- The case involves CDS and the evidence was recovered via:
 - Search warrant
- The case involves a search warrant(s).

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER

Date: 08/28/2021

Preliminary Law Enforcement Incident Report

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7/20/2018

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1507	S	2021	001095
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: TELEPHONE #: () LIVESCAN PCN #:	

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA
ADDRESS: 203 ALABAMA AVE
TOMS RIVER NJ 08753-0000

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 08/21/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A TD BANK DEBIT CARD [REDACTED] - BELONGING TO FRANK GILFONE (1288 LINDA) WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C1.

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A FREEDOM VISA CARD [REDACTED] BELONGING TO JENNIFER WINTERS OF 7 YORKSHIRE DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6C(2)	3) 2C:21-6C(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: DET J MASTRONARDY Date: 08/28/2021

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT

120 HOOPER AVE

TOMS RIVER

NJ 08753-0000

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

Date of Arrest: 08/28/2021 Appearance Date: 08/28/2021 Time: 12:00PM Phone: 732-504-0700

Signature of Person Issuing Summons: DET J MASTRONARDY Date: 08/28/2021

☐ 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

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NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS

COMPLAINT NUMBER

1507**S****2021****001095****STATE V.****BRIAN DIMARIA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A CITI FINICAL CARD [REDACTED] BELONGING TO BRYAN TEPPERMAN OF 760 TUNNEY POINT DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

Original Charge

Amended Charge

COMPLAINT - SUMMONS

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NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER				STATE V.					
1507	S	2021	001095	BRIAN DIMARIA					
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	Date Referred to County Prosecutor:					
Date of First Appearance: 08/28/2021			☐ 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:21-6C(1)		2) 2C:21-6C(2)		3) 2C:21-6C(1)				
Amended Charge									
Waiver Indt/Jury									
Plea/Date of Plea	Plea:	Date:	Plea:	Date:	Plea:	Date:			
Adjudication (* see code)	Finding Code:	Date:	Finding Code:	Date:	Finding Code:	Date:			
Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp
Probation Term			Susp. Imp			Susp. Imp			Susp. Imp
Cond. Discharge Term									
Community Service									
D/L Suspension Term									
Fines/Costs	Fines:	Costs:	Fines:	Costs:	Fines:	Costs:			
VCCB/SNSF	VCCB:	SNSF:	VCCB:	SNSF:	VCCB:	SNSF:			
DEDR/Lab Fee	DEDR:	LAB:	DEDR:	LAB:	DEDR:	LAB:			
CD Fee/Drug Ed Fnd	CD:	DAEF:	CD:	DAEF:	CD:	DAEF:			
DV Surch/Other Fees	DV:	Other:	DV:	Other:	DV:	Other:			
Restitution									
Beneficiary:									
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:						* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID			
Related Traffic Tickets and Complaints:									
JUDGE'S SIGNATURE _____ DATE _____						ORIGINAL - Court Action			
						Page 3 of 11 NJ/CDR1 1/1/2017			

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.									
1507		S		2021		001095		BRIAN DIMARIA											
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: 08/28/2021				☐ Advised of Rights by _____				Defendant Desires Counsel: ☐ Yes ☐ No											
Prosecuting Attorney Information						Defense Counsel Information													
Name:						Name:													
State		County		Municipal		Other		None		Retained		Public Def		Assigned		Waived		Other	
Original Charge																			
Amended Charge																			
Waiver Indt/Jury																			
Plea/Date of Plea		Plea:		Date:		Plea:		Date:		Plea:		Date:		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:														* Finding Codes 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID					
Related Traffic Tickets and Complaints:																			
JUDGE'S SIGNATURE _____										DATE _____									
										COMPLAINT - SUMMONS (Court Action)									
										Page 4 of 11 NJ/CDR1 1/1/2017									

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001095
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY			
DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] () LIVSCAN PCN #: [REDACTED]			

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA

ADDRESS: 203 ALABAMA AVE
TOMS RIVER NJ 08753-0000

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 08/21/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A TD BANK DEBIT CARD [REDACTED] - BELONGING TO FRANK GILFONE (1288 LINDA) WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C1.

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A FREEDOM VISA CARD [REDACTED] BELONGING TO JENNIFER WINTERS OF 7 YORKSHIRE DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6C(2)	3) 2C:21-6C(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: DET J MASTRONARDY Date: 08/28/2021

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT
120 HOOPER AVE TOMS RIVER NJ 08753-0000

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

Date of Arrest: 08/28/2021 Appearance Date: 08/28/2021 Time: 12:00PM Phone: 732-504-0700

Signature of Person Issuing Summons: DET J MASTRONARDY Date: 08/28/2021

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER

1507**S****2021****001095**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A CITI FINICAL CARD [REDACTED] BELONGING TO BRYAN TEPPERMAN OF 760 TUNNEY POINT DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

Original Charge

Amended Charge

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

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NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1507	S	2021	001095	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				BRIAN DIMARIA ADDRESS : 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 21-39388		DEFENDANT INFORMATION	
COMPLAINANT DET J MASTRONARDY		SEX: M EYE COLOR: BROWN		DOB: 07/16/1983	
NAME: POBX876/255OAKAVE		DRIVER'S LIC. #:		DL STATE: NJ	
ATTN WARRANTS		SOCIAL SECURITY #:		SBI #:	
TOMS RIVER NJ 08753		TELEPHONE #:		()	
		LIVESCAN PCN #:			

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, NJ did:

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A TD BANK DEBIT CARD [REDACTED] - BELONGING TO FRANK GILFONE (1288 LINDA) WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C1.

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A FREEDOM VISA CARD [REDACTED] BELONGING TO JENNIFER WINTERS OF 7 YORKSHIRE DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

in violation of:

Original Charge	1) 2C:21-6C(1)	2) 2C:21-6C(2)	3) 2C:21-6C(1)
-----------------	----------------	----------------	----------------

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

Signed: DET J MASTRONARDY TOMS RIVER POLICE DEPT Date of Action: 08/28/2021
 Name, Title and Department of Officer

**RETURN OF SERVICE
INFORMATION**

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER

1507**S****2021****001095**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY BEING IN POSSESSION OF A CITI FINICAL CARD [REDACTED] BELONGING TO BRYAN TEPPERMAN OF 760 TUNNEY POINT DR WHICH WAS DISCOVERED DURING A SEARCH WARRANT OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C2.

Original Charge

Amended Charge

RETURN OF SERVICE INFORMATION**Page 8 of 11**

NJ/CDR1 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER			
1507	S	2021	001095
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: () LIVESCAN PCN #:	

THE STATE OF NEW JERSEY

VS.

BRIAN DIMARIA

ADDRESS:

203 ALABAMA AVE

TOMS RIVER

NJ 08753-0000

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:
The defendant (Brian Dimaria) was found to be in possession of three (3) stolen/lost/misplaced credit cards belonging to the three (3) listed owners after a search warrant was executed on a stolen MV that he was in possession of.

Affidavit of Probable Cause

Page 9 of 11

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001095**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****BRIAN DIMARIA**

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER

Date: 08/28/2021

Affidavit of Probable Cause**Page 10 of 11**

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> VS. BRIAN DIMARIA	
1507	S	2021	001095		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 21-39388		DEFENDANT INFORMATION	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753				SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

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.

-Physical evidence was seized/recovered:
 •Other Type(s) of physical evidence credit cards

-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:
 •Previous encounter

-The case involved theft and/or stolen property. The property which was stolen and/or possessed is credit cards

-The case involves a search warrant(s).

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: <u>DET J MASTRONARDY LAW ENFORCEMENT OFFICER</u>	Date: <u>08/28/2021</u>
Preliminary Law Enforcement Incident Report Page 11 of 11	
7/20/2018	

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1507	S	2021	001096
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-40347	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY
VS.
BRIAN DIMARIA
ADDRESS: 203 ALABAMA AVE
TOMS RIVER NJ 08753-0000

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 08/21/2021 in TOMS RIVER TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF BURGLARY BY ENTERING A 2018 HONDA ACCORD (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (SEAN REID) AT 1134 EUGENE DR DURING THE OVERNIGHT HOURS OF 8/19 - 8/20/21, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH THE DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN (THEFT), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING A BACKPACK VALUED AT \$20.00 AND WORK/SCHOOL ID VALUED AT \$5.00 IN VIOLATION OF NJ:2C:18-2A(1)

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVABLE PROPERTY TO WIT, (A BLACK QUICKSILVER BACKPACK VALUED AT \$20.00 AND A WORK/SCHOOL ID VALUED AT \$5.00) BELONGING TO THE VICTIM (SEAN REID), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A

in violation of:

Original Charge	1) 2C:18-2A(1)	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: DET J MASTRONARDY Date: 08/28/2021

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: OCEAN
at the following address: OCEAN SUPERIOR COURT
120 HOOPER AVE TOMS RIVER NJ 08753-0000

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

Date of Arrest: 08/28/2021 Appearance Date: 08/28/2021 Time: 12:00PM Phone: 732-504-0700

Signature of Person Issuing Summons: DET J MASTRONARDY Date: 08/28/2021

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

ORIGINAL

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1507**S****2021****001096**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA****FTA Bail Information**

Date Bail Set:

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed:

Date Referred to

County Prosecutor: _____

Date of First
Appearance:**08/28/2021**☐ Advised of Rights by _____

Defendant Desires Counsel:

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

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:18-2A(1)**2) **2C:20-3A**

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:*** 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:**ORIGINAL - Court Action**

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001096
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-40347	
COMPLAINANT NAME: DET J MASTRONARDY		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY

VS.

BRIAN DIMARIA

ADDRESS: 203 ALABAMA AVE

TOMS RIVER NJ 08753-0000

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF BURGLARY BY ENTERING A 2018 HONDA ACCORD (NJ REG: **[REDACTED]**) BELONGING TO THE VICTIM (SEAN REID) AT 1134 EUGENE DR DURING THE OVERNIGHT HOURS OF 8/19 - 8/20/21, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH THE DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN (THEFT), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING A BACKPACK VALUED AT \$20.00 AND WORK/SCHOOL ID VALUED AT \$5.00 IN VIOLATION OF NJ:2C:18-2A(1)

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVABLE PROPERTY TO WIT, (A BLACK QUICKSILVER BACKPACK VALUED AT \$20.00 AND A WORK/SCHOOL ID VALUED AT \$5.00) BELONGING TO THE VICTIM (SEAN REID), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A

in violation of:

Original Charge	1) 2C:18-2A(1)	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: **DET J MASTRONARDY** Date: **08/28/2021**

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

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **OCEAN**
at the following address: **OCEAN SUPERIOR COURT**
120 HOOPER AVE **TOMS RIVER** **NJ 08753-0000**

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

Date of Arrest: **08/28/2021** Appearance Date: **08/28/2021** Time: **12:00PM** Phone: **732-504-0700**

Signature of Person Issuing Summons: **DET J MASTRONARDY** Date: **08/28/2021**

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

Page 3 of 7

NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1507	S	2021	001096	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN				BRIAN DIMARIA ADDRESS : 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-40347		DEFENDANT INFORMATION	
COMPLAINANT DET J MASTRONARDY NAME: POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753				SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

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 **08/21/2021** in **TOMS RIVER TWP**, **OCEAN** County, NJ did:

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF BURGLARY BY ENTERING A 2018 HONDA ACCORD (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (SEAN REID) AT 1134 EUGENE DR DURING THE OVERNIGHT HOURS OF 8/19 - 8/20/21, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH THE DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN (THEFT), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING A BACKPACK VALUED AT \$20.00 AND WORK/SCHOOL ID VALUED AT \$5.00 IN VIOLATION OF NJ:2C:18-2A(1)

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVABLE PROPERTY TO WIT, (A BLACK QUICKSILVER BACKPACK VALUED AT \$20.00 AND A WORK/SCHOOL ID VALUED AT \$5.00) BELONGING TO THE VICTIM (SEAN REID), SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A

in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:20-3A	3)
-----------------	-----------------------	--------------------	----

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

Signed: **DET J MASTRONARDY TOMS RIVER POLICE DEPT** Date of Action: **08/28/2021**
 Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001096**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TOMS RIVER MUNICIPAL COURT
255 OAK AVENUE
TOMS RIVER NJ 08753-0000
732-797-3914 COUNTY OF: **OCEAN**

of CHARGES **2** CO-DEFTS POLICE CASE #:
21-40347

COMPLAINANT DET **J MASTRONARDY**
NAME: **POBX876/255OAKAVE**
ATTN WARRANTS
TOMS RIVER NJ 08753

*THE STATE OF NEW JERSEY**VS.***BRIAN DIMARIA**

ADDRESS: **203 ALABAMA AVE**

TOMS RIVER NJ 08753-0000

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **07/16/1983**
DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**
SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED]
TELEPHONE #: [REDACTED] ()
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:

The defendant (Brian Dimaria) was arrested on 8/21/21 after he was observed on surveillance footage breaking into an unlocked MV at 1285 Linda Dr (Master Case #21-39388). He was located at the Wawa (37/Garfield) matching the description of the suspect and was in possession of the keys to a stolen MV out of Howell. A search warrant was obtained on the vehicle and additional proceeds from burglaries to numerous unlocked MV's in Toms River, Howell and Lakewood were recovered as a result. Specifically for this case a Quicksilver backpack and school/work ID belonging to the victim (Sean Reid) of 1134 Eugene Dr. He believed that he lost his backpack at work, but later realized that it was taken sometime overnight from his unlocked vehicle (NJ: [REDACTED]) on 8/19 - 8/20.

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

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001096**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****BRIAN DIMARIA**

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER

Date: 08/28/2021

Affidavit of Probable Cause**Page 6 of 7**

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> BRIAN DIMARIA ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
1507	S	2021	001096		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN					
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 21-40347		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]	
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753					

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 defendant was a stranger to the victim.
- Physical evidence was seized/recovered:
 - Stolen Property, Approximate Value \$ 25
- 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:
 - Previous encounter
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is burglary proceeds
- The case involves a search warrant(s).

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: DET J MASTRONARDY LAW ENFORCEMENT OFFICER Date: 08/28/2021

Preliminary Law Enforcement Incident Report

Page 7 of 7

7/20/2018