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1507

COURT CODE

TOMS RIVER 255 OAK AV TOMS RIVER 732-797-39
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of CHARGES 2

COMPLAINANT DE NAME: PO AT TO
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By certification defendant on c WITHIN THE ENTERING A CIRILLO) A WAS NOT OP OR PRIVILE SPECIFICAL VISA DEBIT OF NJ:2C:1
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WITHIN THE CREDIT CAR THE CARDHO AMERICA VI EUGENE DR)
--

in violation of

Original Charge

Amended Charge

CERTIFICATIO

I certify that the for I am subject to pur

Signed: _____

The complaining issuance of this

SUMMONS

YOU ARE HEREB

at the following ad

120 HOOPER AVE

If you fail to appea

Date of Arrest:

Signature of Person Issu

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Special conditio

☐ No phone, r

☐ No possess

☐ Other (spec

COMPLAINT - SUMMONS

COMPLAINT NUMBER

1507**S****2021****001097****STATE V.****BRIAN DIMARIA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF
NJ:2C:21-6C(1) .

Original Charge

Amended Charge

COMPLAINT - SUMMONS**Page 2 of 11**

NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.	
1507		S	2021		001097						
COURT CODE		PREFIX	YEAR		SEQUENCE NO.			BRIAN DIMARIA			
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:18-2A(1)			2) 2C:21-6C(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		
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		001097		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:							
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 - SUMMONS (Court Action) Page 4 of 11 NJ/CDR1 1/1/2017							

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001097
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 #: 21-40352	
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, DID COMMIT THE OFFENSE OF BURGLARY BY ENTERING A 2020 KIA SPORTAGE (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (THOMAS CIRILLO) AT 1130 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 BANK OF AMERICA VISA DEBIT CARD [REDACTED] BELONGING TO THOMAS CIRILLO, IN VIOLATION OF NJ:2C:18-2A(1)

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 BANK OF AMERICA VISA DEBIT CARD [REDACTED] BELONGING TO THOMAS CIRILLO (1130 EUGENE DR), WHICH WAS DISCOVERED DURING A SEARCH WARRANT EXECUTION OF A STOLEN in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:21-6C(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: 08/28/2021

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****001097**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**BRIAN DIMARIA**

VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF
NJ:2C:21-6C(1) .

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 VS. BRIAN DIMARIA	
1507	S	2021	001097		
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 #: 21-40352		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] () LIVESCAN 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 2020 KIA SPORTAGE (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (THOMAS CIRILLO) AT 1130 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 BANK OF AMERICA VISA DEBIT CARD [REDACTED] BELONGING TO THOMAS CIRILLO, IN VIOLATION OF NJ:2C:18-2A(1)

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 BANK OF AMERICA VISA DEBIT CARD [REDACTED] BELONGING TO THOMAS CIRILLO (1130 EUGENE DR), WHICH WAS DISCOVERED DURING A SEARCH WARRANT EXECUTION OF A STOLEN in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:21-6C(1)	3)
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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 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

COMPLAINT NUMBER

1507

S

2021

001097

STATE V.

BRIAN DIMARIA

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF
NJ:2C:21-6C(1) .

Original Charge

Amended Charge

RETURN OF SERVICE INFORMATION

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NJ/CDR1 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. BRIAN DIMARIA	
1507	S	2021	001097		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
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 #: 21-40352		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]	
COMPLAINANT DET J MASTRONARDY					
NAME: POBX876/255OAKAVE					
ATTN WARRANTS					
TOMS RIVER NJ 08753					

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 Bank of America Visa Debit CARD belonging to the victim (Thomas Cirillo) from 1130 Eugene Dr was recovered. When contacted, he was unaware that his vehicle had been broken into, but later admitted that he realized that his Bank of America card was taken from his unlocked MV (2020 Red Kia - NJ Reg: [REDACTED]).

Affidavit of Probable Cause

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1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001097**

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> <i>VS.</i> BRIAN DIMARIA ADDRESS: 203 ALABAMA AVE TOMS RIVER NJ 08753-0000	
1507	S	2021	001097		
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 #: 21-40352		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:
 - Other Type(s) of physical evidence stolen debit card
- 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 stolen debit card
- 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	001098
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 #: 21-40355	DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVSCAN PCN #:
COMPLAINANT NAME: DET J MASTRONARDY POBX876/255OAKAVE ATTN WARRANTS TOMS RIVER NJ 08753			DL STATE: NJ

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 2017 FORD EDGE (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (CARMEN SOTOMAYOR) AT 920 FAIRVIEW 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 LEOPARD PRINT LADIES WALLET VALUED AT \$50.00, A PRESCRIPTION MEDICATION BOTTLE, A PRESCRIPTION BLANK AND A INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR, IN VIOLATION OF NJ:2C:18-2A(1)

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 AN INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR (920

in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:21-6C(1)	3) 2C:20-3A
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

Page 1 of 11

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS

COMPLAINT NUMBER

1507**S****2021****001098****STATE V.****BRIAN DIMARIA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FAIRVIEW DR), WHICH WAS DISCOVERED DURING A SEARCH WARRANT EXECUTION OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C(1) .

WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVABLE PROPERTY, TO WIT, (A BLACK LEOPARD PRINT LADIES WALLET VALUED AT \$50.00, A PRESCRIPTION BOTTLE, PRESCRIPTION BLANK AND INTUIT TURBO VISA DEBIT CARD) BELONGING TO THE VICTIM (CARMEN SOTOMAYOR) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV 2017 FORD EDGE - NJ REG: [REDACTED] DURING THE OVERNIGHT HOURS OF 8/19 - 8/20/21 AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A.

Original Charge

Amended Charge

COMPLAINT - SUMMONS**Page 2 of 11**

NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.									
1507		S		2021		001098		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:18-2A(1)				2) 2C:21-6C(1)				3) 2C:20-3A									
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									
Related Traffic Tickets and Complaints:										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									
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		001098		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										COMPLAINT - SUMMONS (Court Action)									
DATE										Page 4 of 11 NJ/CDR1 1/1/2017									

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001098
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 #: 21-40355	
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] LIVESCAN 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 2017 FORD EDGE (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (CARMEN SOTOMAYOR) AT 920 FAIRVIEW 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 LEOPARD PRINT LADIES WALLET VALUED AT \$50.00, A PRESCRIPTION MEDICATION BOTTLE, A PRESCRIPTION BLANK AND A INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR, IN VIOLATION OF NJ:2C:18-2A(1)

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 AN INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR (920

in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:21-6C(1)	3) 2C:20-3A
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****001098****STATE V.****BRIAN DIMARIA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FAIRVIEW DR), WHICH WAS DISCOVERED DURING A SEARCH WARRANT EXECUTION OF A STOLEN VEHICLE IN WHICH THE DEFENDANT WAS IN POSSESSION OF, IN VIOLATION OF NJ:2C:21-6C(1).

WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVABLE PROPERTY, TO WIT, (A BLACK LEOPARD PRINT LADIES WALLET VALUED AT \$50.00, A PRESCRIPTION BOTTLE, PRESCRIPTION BLANK AND INTUIT TURBO VISA DEBIT CARD) BELONGING TO THE VICTIM (CARMEN SOTOMAYOR) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF, SPECIFICALLY BY ENTERING THE VICTIM'S UNLOCKED MV 2017 FORD EDGE - NJ REG: [REDACTED] DURING THE OVERNIGHT HOURS OF 8/19 - 8/20/21 AND REMOVING SAID ITEMS, IN VIOLATION OF NJ:2C:20-3A.

Original Charge

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	001098		
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 #: 21-40355		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] LIVESCAN 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 2017 FORD EDGE (NJ REG: [REDACTED]) BELONGING TO THE VICTIM (CARMEN SOTOMAYOR) AT 920 FAIRVIEW 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 LEOPARD PRINT LADIES WALLET VALUED AT \$50.00, A PRESCRIPTION MEDICATION BOTTLE, A PRESCRIPTION BLANK AND A INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR, IN VIOLATION OF NJ:2C:18-2A(1)

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 AN INTUIT TURBO VISA DEBIT CARD [REDACTED] BELONGING TO CARMEN SOTOMAYOR (920 in violation of:

Original Charge	1) 2C:18-2A(1)	2) 2C:21-6C(1)	3) 2C:20-3A
-----------------	----------------	----------------	-------------

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 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

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Affidavit of Probable Cause

COMPLAINT NUMBER			
1507	S	2021	001098
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 #: 21-40355	
COMPLAINANT DET J MASTRONARDY 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 #: TELEPHONE #: () LIVESCAN PCN #:		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, a black ladies wallet, a prescription bottle, a prescription blank and a Visa Debit Card belonging to the victim (Carmen Sotomayor) was recovered. Carmen was initially unaware that her vehicle was broken into, but admitted that it was left unlocked and that the property was taken from underneath the passenger seat of her 2017 Ford Edge (NJ Reg: [REDACTED]).

Affidavit of Probable Cause

Page 9 of 11

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507**S****2021****001098**

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> <i>VS.</i> BRIAN DIMARIA	
1507	S	2021	001098		
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 #: 21-40355		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 DET J MASTRONARDY NAME: 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 \$ 50
- 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 burg 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 11 of 11

7/20/2018

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1507	S	2021	001099
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 1	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

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 KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO (JOSEPH KINSELLA JR) KNOWING IT WAS STOLEN, SPECIFICALLY BY BEING IN POSSESSION OF A STOLEN IPAD VALUED AT \$1,200.00 AND A STOLEN IPHONE VALUED AT \$550.00, THAT THE VICTIM (JOSEPH KINSELLA JR) HAD TAKEN FROM HIS UNLOCKED MV AT 7 POPLAR STREET IN HOWELL, NJ AND WAS PREVIOUSLY REPORTED TO THE HOWELL POLICE DEPARTMENT, IN VIOLATION OF NJ:2C:20-7A

in violation of:

Original Charge	1) 2C:20-7A	2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are 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		001099						
COURT CODE		PREFIX	YEAR		SEQUENCE NO.			BRIAN DIMARIA			
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:20-7A			2)			3)			
Amended Charge											
Waiver Indt/Jury											
Plea/Date of Plea		Plea: Date:			Plea: Date:			Plea: Date:			
Adjudication (* see code)		Finding Code: Date:			Finding Code: Date:			Finding Code: Date:			
Jail Term		Jail time credit Susp. Imp			Jail time credit Susp. Imp			Jail time credit Susp. Imp			
Probation Term		Susp. Imp			Susp. Imp			Susp. Imp			
Cond. Discharge Term											
Community Service											
D/L Suspension Term											
Fines/Costs		Fines: Costs:			Fines: Costs:			Fines: Costs:			
VCCB/SNSF		VCCB: SNSF:			VCCB: SNSF:			VCCB: SNSF:			
DEDR/Lab Fee		DEDR: LAB:			DEDR: LAB:			DEDR: LAB:			
CD Fee/Drug Ed Fnd		CD: DAEF:			CD: DAEF:			CD: DAEF:			
DV Surch/Other Fees		DV: Other:			DV: Other:			DV: Other:			
Restitution											
Beneficiary:											
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:								* 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 2 of 7 NJ/CDR1 1/1/2017						

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1507	S	2021	001099
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 1	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, COMMIT THE OFFENSE OF THEFT BY KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO (JOSEPH KINSELLA JR) KNOWING IT WAS STOLEN, SPECIFICALLY BY BEING IN POSSESSION OF A STOLEN IPAD VALUED AT \$1,200.00 AND A STOLEN IPHONE VALUED AT \$550.00, THAT THE VICTIM (JOSEPH KINSELLA JR) HAD TAKEN FROM HIS UNLOCKED MV AT 7 POPLAR STREET IN HOWELL, NJ AND WAS PREVIOUSLY REPORTED TO THE HOWELL POLICE DEPARTMENT, IN VIOLATION OF NJ:2C:20-7A

in violation of:

Original Charge	1) 2C:20-7A	2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are 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	001099	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	BRIAN DIMARIA	
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 1	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, COMMIT THE OFFENSE OF THEFT BY KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO (JOSEPH KINSELLA JR) KNOWING IT WAS STOLEN, SPECIFICALLY BY BEING IN POSSESSION OF A STOLEN IPAD VALUED AT \$1,200.00 AND A STOLEN IPHONE VALUED AT \$550.00, THAT THE VICTIM (JOSEPH KINSELLA JR) HAD TAKEN FROM HIS UNLOCKED MV AT 7 POPLAR STREET IN HOWELL, NJ AND WAS PREVIOUSLY REPORTED TO THE HOWELL POLICE DEPARTMENT, IN VIOLATION OF NJ:2C:20-7A

in violation of:

Original Charge	1) 2C:20-7A	2)	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	001099
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 1	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT DET J MASTRONARDY 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 #: 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 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, an ipad valued at \$1,200.00 and an iphone valued at \$550.00, which were previously reported stolen by the victim (Joseph Kinsella Jr) to the Howell Police Department, were recovered from the search warrant.

Affidavit of Probable Cause

Page 5 of 7

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1507

S

2021

001099

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	001099
TOMS RIVER MUNICIPAL COURT 255 OAK AVENUE TOMS RIVER NJ 08753-0000 732-797-3914 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-39388	
COMPLAINANT DET J MASTRONARDY 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 #: [REDACTED] LIVSCAN 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.

- The defendant was a stranger to the victim.
- Physical evidence was seized/recovered:
 - Stolen Property, Approximate Value \$ 1,750.00
- 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 ipad/iphone
- 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 - WARRANT

COMPLAINT NUMBER			
1514	W	2021	000583
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-097930	
COMPLAINANT NAME: DET E 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701		CICERELLO #328	
DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVSCAN PCN #:		ADDRESS: 127 7TH STREET LAKEWOOD NJ 08701-0000 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 08/16/2021 in LAKEWOOD TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO JOEL AND CHULDA KRONENBERG, KNOWING IT WAS STOLEN, SPECIFICALLY BY, BEING IN POSSESSION OF A 2012 NISSAN ALTIMA, BEARING NEW JERSEY REGISTRATION [REDACTED], BELONGING TO JOEL AND CHULDA KRONENBERG, ON OR ABOUT AUGUST 16, 2021.

in violation of:

Original Charge	1) 2C:20-7A	2)	3)
Amended Charge			

CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.
Signed: DET E CICERELLO #328 Date: 09/03/2021

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
Date of Arrest: Appearance Date: Time: TOMS RIVER NJ 08753-0000
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. JANE COUGHRAN JUDICIAL OFFICER 09/03/2021
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 (Court Action)

COMPLAINT NUMBER

1514**W****2021****000583**

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:☐ 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:20-7A**

2)

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:*** Finding Codes**

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

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

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1514	W	2021	000583
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-097930	
COMPLAINANT NAME: DET E CICERELLO #328			
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]			
ADDRESS: 127 7TH STREET LAKEWOOD NJ 08701-0000			
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 08/16/2021 in LAKEWOOD TWP , OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO JOEL AND CHULDA KRONENBERG, KNOWING IT WAS STOLEN, SPECIFICALLY BY, BEING IN POSSESSION OF A 2012 NISSAN ALTIMA, BEARING NEW JERSEY REGISTRATION [REDACTED] , BELONGING TO JOEL AND CHULDA KRONENBERG, ON OR ABOUT AUGUST 16, 2021.			
in violation of:			
Original Charge	1) 2C:20-7A		2) [REDACTED]
Amended Charge	3) [REDACTED]		
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 E CICERELLO #328 Date: 09/03/2021			
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: [REDACTED] Appearance Date: [REDACTED] Time: [REDACTED] 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. JANE COUGHRAN JUDICIAL OFFICER 09/03/2021 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: [REDACTED] by: [REDACTED] (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): [REDACTED]		COMPLAINT - WARRANT (DEFENDANT'S COPY)	
		Page 3 of 7 NJ/CDR2 1/1/2017	

COMMITMENT

COMPLAINT NUMBER

1514**W****2021****000583**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

LAKEWOOD MUNICIPAL COURT**231 THIRD ST****LAKEWOOD****NJ 08701-0000****732-364-2500****COUNTY OF: OCEAN**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

21-097930COMPLAINANT **DET E****CICERELLO #328**

NAME:

231 THIRD STREET**ATTN WARRANTS****LAKEWOOD****NJ 08701***THE STATE OF NEW JERSEY**VS.***BRIAN DIMARIA**

ADDRESS:

127 7TH STREET**LAKEWOOD****NJ 08701-0000**

DEFENDANT INFORMATION

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

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

()

LIVESCAN PCN #:

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

Offense

Aux Offense

Drug Code

Degree

Offense Description

1.

2.

3.

4.

Commitment Reason:

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

120 HOOPER AVE**TOMS RIVER****NJ 08753-0000**

Date of Arrest:

Phone: **732-504-0700**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT**Page 4 of 7**

NJ/CDR2 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. BRIAN DIMARIA ADDRESS: 127 7TH STREET LAKEWOOD NJ 08701-0000	
1514	W	2021	000583		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN					
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-097930		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 07/16/1983	
COMPLAINANT NAME: DET E CICERELLO #328 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701				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:

On Monday August 16, 2021, Lakewood Police took a stolen motor vehicle report from Chulda Kronenberg of 117 East 8th Street, Lakewood, New Jersey. The owner believed the key may have been in the vehicle during the overnight hours when it was taken. The registration for the vehicle was reported to be [REDACTED], a 2012 Nissan Altima.

On Saturday August 21, 2021, the Howell Police recovered the 2012 Nissan Altima bearing New Jersey registration [REDACTED] in front of 6 Lilac Place, Howell, New Jersey. There were no keys in the vehicle at that time. Approximately one block away, a van was stolen from 1 Ivy Place, Howell New Jersey. This theft was reported on August 19, 2021.

That vehicle was recovered in Toms River, along with its operator, identified as Brian Dimaria. Upon speaking with Toms River Police, Detective Joseph Mastronardy, I was advised that upon recovering the vehicle and arrest of Dimaria, there was a Nissan Key fob in his possession. I obtained that keyfob and confirmed that the key did in fact operate the 2012 Nissan Altima bearing New Jersey registration [REDACTED].

After speaking with the owner, Chulda Kronenberg, she advised that she located a flip phone in the Nissan that did not belong to her or anyone she knew. A search warrant was drafted on the phone, in which there were messages that displayed the following:

8/2/21 12:04:05 - to [REDACTED] (Ryan), the message said "Its brian"
 8/10/21 1:16:50 - to [REDACTED] (Ryan), the message said "its brian"
 8/16/21 5:35:08 - to [REDACTED] (Rush), the message said "Its brian".

Upon the belongings in the stolen van recovered in Toms River, there was a receipt from Walmart in Neptune for a cellular phone on 8/17/2021 1646 hours. It should be noted that the last call made on the Alcatel phone located in the Nissan, was placed on 8/17/2021 at 1652 hours, indicating the owner may have replaced the phone and left it behind after the new phone was activated.

Affidavit of Probable Cause

Page 5 of 7

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1514**W****2021****000583**

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.)

Above information gathered during investigation.

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 E CICERELLO #328 LAW ENFORCEMENT OFFICER

Date: 09/03/2021

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	
1514	W	2021	000583		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN				ADDRESS: 127 7TH STREET LAKEWOOD NJ 08701-0000	
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21-097930		DEFENDANT INFORMATION	
COMPLAINANT NAME: DET E CICERELLO #328		231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701		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: 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 \$ 5,000.00
- The defendant attempted to conceal, discard or destroy evidence, dropped vehicle in Howell
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is vehicle
- The case involves a search warrant(s).
- 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: one cell phone

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 E CICERELLO #328 LAW ENFORCEMENT OFFICER Date: 09/03/2021

Preliminary Law Enforcement Incident Report

Page 7 of 7

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 RESESTAR 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 08/20/2021 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 RESESTAR 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 RESESTAR 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

Page 1 of 11

NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS

COMPLAINT NUMBER

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

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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

Page 2 of 11

NJ/CDR1 1/1/2017

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.									
1507		S		2021		001090		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: 08/27/2021				☐ 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:		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									
Related Traffic Tickets and Complaints:										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									
JUDGE'S SIGNATURE										ORIGINAL - Court Action									
DATE										Page 3 of 11 NJ/CDR1 1/1/2017									

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER										STATE V.															
1507		S		2021		001090		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: 08/27/2021				☐ 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 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			
Probation Term										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 - SUMMONS (Court Action)											
														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 RESESTAR			
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 #:			

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 08/20/2021 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 RESESTAR 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 RESESTAR 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)

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NJ/CDR1 1/1/2017

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. 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	
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 #: TELEPHONE #: () LIVSCAN 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 **08/20/2021** 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
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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****STATE V.****BRIAN DIMARIA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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 NAME: PTL. W RESEAR 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

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

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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

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1/1/2017

Preliminary Law Enforcement Incident Report

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 PTL. W RESESTAR 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 #: [REDACTED] LIVESCAN PCN #:	

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.

-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 RESESTAR LAW ENFORCEMENT OFFICER Date: 08/27/2021

Preliminary Law Enforcement Incident Report

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7/20/2018