

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. PHILIP T SEIDLE ADDRESS: 143 WALNUT STREET, APT. #4 NEPTUNE NJ 07753	
1303	W	2015	001192		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
ASBURY PARK MUNICIPAL COURT ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712 (732) 775-1765 COUNTY OF: MONMOUTH					
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 15AP16735		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 04-11-1964 DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: 4127536 TELEPHONE #:	
COMPLAINANT NAME: DANIEL KOWSALUK					

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 06-16-2015 in ASBURY PARK CITY, MONMOUTH County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PUPOSELY AND OR UNLAWFULLY CAUSE DEATH OR SERIOUS BODILY INJURY RESULTING IN THE DEATH OF T.S.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY POSSESS A FIREARM WITH PURPOSE TO USE IT UNLAWFULLY AGAINST THE PERSON T.S.

WITHIN THE JURISDICTION OF THIS COURT, HAVING A LEGAL DUTY FOR THE CARE OF, T.S. WHO IS UNDER 18, CAUSED SAID CHILD HARM THAT WOULD MAKE THE CHILD AN ABUSED OR NEGLECTED CHILD.

PROBABLE CAUSE: SERIOUSNESS OF THE CRIME.

in violation of:

Original Charge	1) 2C:11-3	2) 2C:39-4A
Amended Charge		

OATH:
 Subscribed and sworn to me this 16th day of JUN, yr 2015
 Signed: DANIEL KOWSALUK
(Signature of Complaining Witness)
 Signed: JEFFREY WHITE, Law Enforcement Officer
(Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE **06-19-2015** TIME **12:05pm** DATE OF ARREST **06-16-2015**

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. PATRICIA GREEN, Judicial Officer 06-16-2015
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: \$2,000,000 NO 10% by: JUDGE FRANCIS VERNOLA JSC
(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):

DEFENDANT'S COPY

MONMOUTH COUNTY PROSECUTOR
132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

INDICTMENT No. 15-11-1963

STATE OF NEW JERSEY :
 :
 Plaintiff, : DEMAND FOR
 : BILL OF PARTICULARS
 v. : WHERE ALIBI IS RELIED
 : UPON BY DEFENDANT
 :
 PHILIP SEIDLE, :
 :
 Defendant. :

TO Philip Seidle DOB 04/11/1964

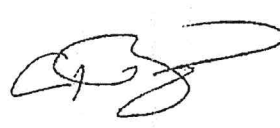
 113 Walnut Street Apartment 4

 Neptune, New Jersey 07753

PURSUANT TO R. 3:12-2, 1

If you, the defendant in this case, in any way intend to rely on the defense of alibi, the State demands that within ten (10) days after receipt of this written demand, you furnish to the State a written bill of particulars, signed by you, the defendant, stating the specific place or places at which you claim to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom you wanted to rely to establish your alibi.

DATED November 17, 2015
15-02376


.....
Acting Monmouth County Prosecutor

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

THE STATE OF NEW JERSEY

:

Plaintiff,

:

v.

:

Indictment No. 15-11-1963
Case No. 15-02376

PHILIP SEIDLE,

:

Defendant.

:

FIRST COUNT

MURDER

FIRST DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that PHILIP SEIDLE, on or about June 16, 2015, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Murder, by purposely or knowingly causing the death of T.S., or by purposely or knowingly causing serious bodily injury resulting in the death of T.S., contrary to the provisions of N.J.S.A. 2C:11-3a(1) and/or (2), and against the peace of this State, the Government, and dignity of the same.

SECOND COUNT

POSSESSION OF A WEAPON FOR AN UNLAWFUL PURPOSE

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that PHILIP SEIDLE,

on or about June 16, 2015, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Possession of a Weapon for an Unlawful Purpose, by possessing a weapon, to wit: a firearm, with a purpose to use it unlawfully against the person of T.S., contrary to the provisions of N.J.S.A. 2C:39-4a(1), and against the peace of this State, the Government, and dignity of the same.

THIRD COUNT

ENDANGERING THE WELFARE OF A CHILD

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that PHILIP SEIDLE, on or about June 16, 2015, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Endangering the Welfare of a Child, by causing the child, to wit: T.S., age 7 years, harm which would make the child an abused or neglected child as defined in N.J.S.A. 9:6-1(e); 9:6-3 and/or 9:6-8.21(c)(1) by the performing of any indecent, immoral or unlawful act or deed, in the presence of a child that may tend to debauch or endanger or degrade the morals of the child and/or by inflicting or allowing to be inflicted upon such child physical injury by other than accidental means which causes or creates a substantial risk of death, or serious or protracted disfigurement, or protracted impairment of physical or emotional health or protracted loss or

impairment of the function of any bodily organ, contrary to the provisions of N.J.S.A. 2C:24-4a and against the peace of this State, the Government, and dignity of the same.



MARC C. LEMIEUX
FIRST ASSISTANT PROSECUTOR

Endorsed:

Foreperson

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

CASE NO. 15-2376
INDICTMENT NO.

THE STATE OF NEW JERSEY :

Plaintiff, :

v. :

PHILIP SEIDLE, :

Defendant. :

NOTICE OF AGGRAVATING
FACTORS

AGGRAVATING FACTORS AS TO COUNT ONE

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths, present that PHILIP SEIDLE, on or about June 16, 2015, in or about the City of Asbury Park, County of Monmouth, did commit the crime of Murder, by purposely or knowingly causing the death of T.S., by his own hand, as alleged in Count One of the Indictment and that the following aggravating factors are present with regard to Count One of the Indictment:

1. In the commission of the murder, PHILIP SEIDLE purposely or knowingly created a grave risk of death to another person in addition to T.S., pursuant to N.J.S.A. 2C:11-3b(4)(b), and against the peace of this State, the Government, and dignity of the same.
2. The murder of T.S. was outrageously or wantonly vile, horrible or inhuman in that it involved torture, depravity of mind, or an aggravated assault to the

victim, pursuant to N.J.S.A. 2C:11-3b(4)(c), and against
the peace of this State, the Government, and dignity of
the same.

A handwritten signature in dark ink, appearing to read "Marc C. Lemieux", is written over a horizontal line.

MARC C. LEMIEUX
FIRST ASSISTANT PROSECUTOR

Endorsed:

Foreperson



Asbury Park Police Department

ASBURY PARK, NJ 07712

Individual Arrest Report

Name: PHILIP T SEIDLE (298914)

Street Address: 143 WALNUT STREET: APT
4

City, State Zip: NEPTUNE, NJ 07753

Date of Birth: 04/11/64

Social Security: [REDACTED]

Local ID Numbers:

State ID Number:

Attorney:

Place of Birth:

Sex: M

Height: 6'04"

Hair Color: 3

Drivers License: [REDACTED]

Marital Status:

Home Phone: () -

Employer:

Alias For:

FBI number:

Occupation:

State:

Race: B

Weight: 240

Eyes Color: 02

State: NJ

Work Phone: () -

Scars, Marks, and Tattoo Information

Arrest/Offense Information

Booking Number: 15BK08184

Arrest Reference Number: 15ap16735

Time/Date Arrested: 18:19:26 06/16/15

Arresting Officer: Kowsaluk, D

Arresting Agency:

Age at Arrest: 51

Statute: 2C:11-3, Murder

Class: 1D Court:

Offense: HOMI, Homicide

Counts: 1 OTN:

Offense Refrnc:

Related Incident: 15AP16735

Statute: 2C:39-4A, Unlawful Firearm Possession

Class: Court:

Offense: WOFF, Weapons Offense

Counts: 1 OTN:

Offense Refrnc:

Related Incident: 15AP16735

Statute: 2C:24-4, Endangering Welfare of Child

Class: Court:

Offense: CHAN, Child Abuse or Neglect

Counts: 1 OTN:

Offense Refrnc:

Related Incident: 15AP16735

Report Includes:

All dates arrested, All booking numbers matching '15BK08184', All arresting agencies, All arresting officers, All arrest types, All arrest area codes, All judicial age statuses, All inmate name numbers, All offense codes, All statute codes, All alcohol/drug codes, All crime class codes, All law jurisdictions, All court codes, All entry codes, All custody flags,

6/16/2015 6:21:14 PM

jlbook.agency = P83 jlbook.num = tmpId(2)

Name Number: 298914

PHILIP T SEIDLE, N-Black, Non-Hisp Male, DOB: 04/11/1964



Date: 06/16/2015 18:19:26

Mon:	Yes
Tue:	Yes
Wed:	Yes
Thu:	Yes
Fri:	Yes
Sat:	Yes
Sun:	Yes

Arrest

Date:	06/16/2015 18:19:26
Location:	1600 block of Sewall
Area:	Asbury Park
Age at Arrest:	51
Arrest Type:	ON VIEW
Disposition:	
Pre-Sentence Class:	
Arresting Officer:	Kowsaluk, D
Arresting Agency:	
Reference:	15ap16735
Tracking:	Automatically Generated

Arrest Additional Info

Accused was arrested for Murder, Possession of a Weapon for Unlawful Purpose and Endangering the Welfare of a Child.

Arrest Circumstances

No Entries

Offenses

No Entries

Booking Additional Info



New Jersey Judiciary
Plea Form

County Monmouth
Prosecutor File Number 15-2376

Defendant's Name: Phil Seidle

before Judge: Joseph O'Byrne, JSC

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum		
				Time	Fine	VCCO Assmt*
<u>15-11-1963</u>	<u>1</u>	<u>Amended to</u>	<u>1^o</u>	Max <u>30 yrs</u>	<u>\$307,000</u>	<u>\$100</u>
		<u>aggravated manslaughter</u>		Max		
				Max		
				Max		
<u>15-11-1963</u>	<u>3</u>	<u>Endangering Welfare</u>	<u>2^o</u>	Max <u>10 yrs</u>	<u>\$150,000</u>	<u>\$100</u>
		<u>of a child</u>		Max		
				Total <u>40 yrs</u>	<u>\$350,000</u>	<u>\$200</u>

Your total exposure as the result of this plea is:

Please Circle
Appropriate
Answer

2. a. Did you commit the offense(s) to which you are pleading guilty? ☒ [Yes] ☐ [No]
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☒ [Yes] ☐ [No]
3. Do you understand what the charges mean? ☒ [Yes] ☐ [No]
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
 - a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☒ [Yes] ☐ [No]
 - b. The right to remain silent? ☒ [Yes] ☐ [No]
 - c. The right to confront the witnesses against you? ☒ [Yes] ☐ [No]
 - d. Do you understand that by pleading **you are not waiving** your right to appeal (1) the denial of a motion to suppress physical evidence (R. 3:5-7(d)) or (2) the denial of acceptance into a pretrial intervention program (PTI) (R. 3:28(g))? ☒ [Yes] ☐ [No]
 - e. Do you further understand that by pleading guilty **you are waiving** your right to appeal the denial of all other pretrial motions except the following: ☒ [Yes] ☐ [No]

* Victims of Crime Compensation Office Assessment

5. Do you understand that if you plead guilty:

a. You will have a criminal record?

[Yes] [No]

b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Victims of Crime Compensation Agency Assessment?

[Yes] [No]

Bmt Ade P13

c. You must pay a minimum Victims of Crime Compensation Agency assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.)

[Yes] [No]

d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made?

[Yes] [No]

e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction?

[Yes] [No]

f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation?

[Yes] [No]

g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30?

[Yes] [No]

h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing?

[Yes] [No]

i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 143). If the crime involves a violation of N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography, N.J.S.A. 2C:34-3 (selling, distributing or exhibiting obscene material to a person under age 18) or an offense involving computer criminal activity in violation of any provision of Title 2C, chapter 20, you will be assessed a mandatory penalty as listed below for each offense for which you pled guilty?

[Yes] [No]

N/A

(1) \$2,000 in the case of a 1st degree crime

(2) \$1,000 in the case of a 2nd degree crime

(3) \$ 750 in the case of a 3rd degree crime

(4) \$ 500 in the case of a 4th degree crime

(5) \$ 250 in the case of a disorderly persons or petty disorderly persons offense

Total CCPF Penalty \$ _____

6. Do you understand that **the court could**, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed?

[Yes] [No] N/A

See P 13

7. Did you enter a plea of guilty to any charges **that require** a mandatory period of parole ineligibility or a mandatory extended term?

[Yes] [No]

a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is 8 years and 6 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 25 years and 6 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.

b. If you are pleading guilty to such a charge, the minimum mandatory extended term is years and months (fill in the number of years/months) and the maximum mandatory extended term can be years and months (fill in the number of years/months).

N/A

8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison?

[Yes] [No]

9. Are you presently on probation or parole?

[Yes]

[No]

a. Do you realize that a guilty plea may result in a violation of your probation or parole?

[Yes]

[No]

N/A

10. Are you presently serving a custodial sentence on another charge?

[Yes]

[No]

a. Do you understand that a guilty plea may affect your parole eligibility?

[Yes]

[No]

N/A

11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively?

[Yes]

[No]

N/A

See P 13

12. List any charges the prosecutor has agreed to recommend for dismissal:

Ind./Acc./Compl.#

Count

Nature of Offense and Degree

15-11-1963

2

POSS. WEAPON FOR UNLAWFUL PURPOSE 2

15-11-1963

NOTICE OF AGGRAVATING FACTORS AS TO COUNT 1.

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

THE SENTENCES ON COUNTS 1 AND 3 SHALL BE CONCURRENT,
THE STATE SHALL RECOMMEND 30 YRS WITH 85% OMDT
ON COUNT 1 AND A CONCURRENT 10 YRS ON COUNT 3 IN
STATE PRISON.

14. Has the prosecutor promised that he or she will **NOT**:

- a. Speak at sentencing?
- b. Seek an extended term of confinement?
- c. Seek a stipulation of parole ineligibility?

[Yes] [No]

[Yes] [No] **N/A**

[Yes] [No]

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

[Yes]

[No]

[NA]

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

[Yes]

[No]

[NA]

17. a. Are you a citizen of the United States?

[Yes]

[No]

If you have answered "No" to this question, you must answer Questions 17b – 17f. If you have answered "Yes" to this question, proceed to Question 18

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States?

[Yes]

[No]

N/A

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status?

[Yes]

[No]

N/A

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f.

[Yes]

[No]

N/A

e. Would you like the opportunity to do so?

[Yes]

[No]

N/A

f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty?

[Yes]

[No]

N/A

18. a. Do you understand that pursuant to the rules of the Interstate Compact for Adult Offender Supervision if you are residing outside the State of New Jersey at the time of sentencing that return to your residence may be delayed pending acceptance of the transfer of your supervision by your state of residence?

[Yes]

[No]

b. Do you also understand that pursuant to the same Interstate Compact transfer of your supervision to another state may be denied or restricted by that state at any time after sentencing if that state determines you are required to register as a sex offender in that state or if New Jersey has required you to register as a sex offender?

[Yes]

[No]

19. Have you discussed with your attorney the legal doctrine of merger?

[Yes]

[No]

[NA]

See P13

20. Are you giving up your right at sentence to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence? [Yes] ☒ [No] ☒ [NA] ☒
See #13

21. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

THE DEFENSE SHALL SEEK A SENTENCE OF BETWEEN 10 AND 20 YEARS ON COUNT 1 AND A CONCURRENT SENTENCE OF BETWEEN 5 AND 7 YEARS ON COUNT 3. THE COURT SHALL REQUEST SENTENCING MEMOS FROM BOTH PARTIES PRIOR TO SENTENCING.

22. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty? [Yes] ☒ [No] ☒

23. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? [Yes] ☒ [No] ☒

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea? [Yes] ☒ [No] ☒

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial? [Yes] ☒ [No] ☒

24. Are you satisfied with the advice you have received from your lawyer? [Yes] ☒ [No] ☒

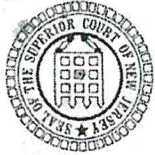
25. Do you have any questions concerning this plea? [Yes] ☒ [No] ☒

Date 3/10/16 Defendant [Signature]

Defense Attorney Edmund Bortucio

Prosecutor [Signature]

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.



New Jersey Judiciary

Supplemental Plea Form for Graves Act Offenses (N.J.S.A. 2C: 43-6c)

NOTE

You are not subject to a mandatory Graves Act parole ineligibility term if you are pleading guilty to unlawful possession of a handgun, that is an air gun, spring gun, or BB gun pursuant to N.J.S.A. 2C:39-5b(2); unlawful possession of an unloaded rifle or shotgun, N.J.S.A. 2C:39-5c(1); or unlawful possession of a rifle or shotgun that is an air gun, spring gun, or BB gun, N.J.S.A. 2C:39-5c(2).

You are pleading to a Graves Act offense. This means:

- A. (1) You are pleading guilty to possession of a firearm with intent to use it against the person of another or to murder, aggravated manslaughter, manslaughter, aggravated assault, kidnapping, aggravated sexual assault, aggravated criminal sexual contact, robbery, burglary or escape; or
- (2) You are pleading guilty to one of the following offenses that occurred on or after January 13, 2008: possession of a shotgun, N.J.S.A. 2C:39-3b; possession of a defaced weapon, N.J.S.A. 2C:39-3d; possession of a weapon (firearm) for an unlawful purpose, N.J.S.A. 2C:39-4a; possession of a firearm while in the course of committing a CDS offense or other offenses, N.J.S.A. 2C:39-4.1a; unlawful possession of a machine gun, handgun, rifle or shotgun, N.J.S.A. 2C:39-5a, b or c; certain persons not to have weapons, N.J.S.A. 2C:39-7; or manufacture, transport, disposition and defacement of machine guns, sawed-off shotguns, defaced firearms or assault firearms. N.J.S.A. 2C:39-9a, b, e or g; or
- (3) You are pleading guilty to the following offense that occurred on or after August 8, 2013: unlawful possession of an assault firearm, N.J.S.A. 2C:39-5(f).

AND/OR

- B. You are also admitting, by virtue of this plea, that while in the course of committing or attempting to commit one of the crimes, including the immediate flight therefrom, you used or were in possession of a firearm.

1. Do you understand that because of your plea of guilty to Aggravated Manslaughter ☒ [Yes] ☐ [No]
you will be subject to a minimum period of time before you will be eligible for parole (a parole ineligibility term) under the Graves Act (as set forth in question 7 on the Main Plea Form)?
2. Do you understand that by pleading guilty and admitting that you used or were in possession of a firearm that is a Handgun, (type of firearm) while in the course of committing or attempting to commit one of the crimes, you are waiving your right to have a jury determine, beyond a reasonable doubt, that you used or possessed a firearm during the course of committing or attempting to commit one of the crimes? ☒ [Yes] ☐ [No]
3. Does any other mandatory sentencing provision apply to the Graves Act count that provides for a greater period of parole ineligibility (e.g., NERA, Three Strikes, Murder)? ☒ [Yes] ☐ [No] ☐ [NA]

If so, which one?

Date

3/10/16

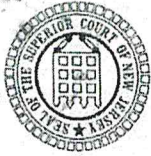
Defendant

Defense Attorney

Edmund Bertricio

Prosecutor

[Signature]



New Jersey Judiciary
Supplemental Plea Form for *No Early Release Act* (NERA) Cases (N.J.S.A. 2C:43-7.2)

The following questions need to be answered only if you are pleading guilty to one of the following first or second degree crimes that occurred **on or after June 29, 2001**: murder, aggravated manslaughter or manslaughter, vehicular homicide, aggravated assault, disarming a law enforcement officer, kidnapping, aggravated sexual assault, sexual assault, robbery, carjacking, aggravated arson by placing another person in danger of death or serious bodily injury, burglary, theft by extortion by obtaining property of another by threatening to inflict bodily injury on, or physically confine or restrain anyone or commit another offense, booby traps in manufacturing or distributing of CDS facilities, or strict liability for drug induced deaths; or that **occurred on or after June 18, 2002**: terrorism, or producing or possessing chemical weapons, biological agents or nuclear or radiological devices; or that **occurred on or after January 13, 2008**: first degree racketeering; or that **occurred on or after August 14, 2013**: child pornography; or that **occurred on or after November 1, 2013**: firearms trafficking.

1. Do you understand that because of your plea of guilty to Aggravated Manslaughter ☒ [Yes] ☐ [No]
(List First or Second Degree Violent Crime(s) to Which NERA Applies)
you will be required to serve 85% of the sentence imposed for that offense(s)
before you will be eligible for parole on that offense(s)?
2. Do you understand that because you have pled guilty to these charges the court must impose a 5 year term of parole supervision and that term will begin as soon as you complete the sentence of incarceration? ☒ [Yes] ☐ [No]
First Degree Term of Parole Supervision - 5 years
Second Degree Term of Parole Supervision - 3 years
3. Do you understand that if you violate the conditions of your parole supervision that your parole may be revoked and you may be subject to return to prison to serve all or any portion of the remaining period of parole supervision, even if you have completed serving the term of imprisonment previously imposed? ☒ [Yes] ☐ [No]

Date: 3/10/16 Defendant: [Signature]
Defense Attorney: [Signature]
Prosecutor: [Signature]



Judgment of Conviction & Order for Commitment

Superior Court of New Jersey, MONMOUTH County

State of New Jersey

v.

Last Name

SEIDLE

First Name

PHILIP

Middle Name

T

Also Known As

Date of Birth

04/11/1964

SBI Number

412753G

Date(s) of Offense

06/16/2015

Date of Arrest

PROMIS Number

15 002376-001

Date Ind / Acc / Complt Filed

11/17/2015

Original Plea

☒ Not Guilty

☐ Guilty

Date of Original Plea

01/27/2016

Adjudication By



Guilty Plea



Jury Trial Verdict



Non-Jury Trial Verdict



Dismissed / Acquitted

Date: 03/10/2016

Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
15-11-01963-I	1	MURDER - PURPOSELY	2C:11-3A(1)	1
		MURDER - KNOWINGLY	2C:11-3A(2)	
15-11-01963-I	2	POSS OF WEAPON FOR UNLAWFUL PURPOSE-FIREARM-ANYONE	2C:39-4A(1)	2
15-11-01963-I	3.	ENDANGERING-ABUSE/NEGLECT/SEXUAL ACT BY CARETAKER	2C:24-4A	2

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
15-11-01963-I	AMENDED 1	AGGRAVATED MANSLAUGHTER-EXTREME INDIFFERENCE HUMAN LIFE	2C:11-4A(1)	1
15-11-01963-I	AMENDED 3	ENDANGERING-ABUSE/NEGLECT OF A CHILD BY CARETAKER	2C:24-4A(2)	2

Sentencing Statement

It is, therefore, on 09/29/2016 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:
COUNT 1: DEFENDANT IS SENTENCED TO THIRTY (30) YEARS TO THE CUSTODY OF THE COMMISSIONER OF THE DEPARTMENT OF CORRECTIONS (CCDC). PURSUANT TO NERA, DEFENDANT MUST SERVE 85% OF THE SENTENCE IMPOSED WITH FIVE (5) YEARS OF PAROLE SUPERVISION UPON RELEASE FROM INCARCERATION.

COUNT 3: DEFENDANT IS SENTENCED TO FIVE (5) YEARS TO THE CCDC, CONCURRENT TO COUNT 1.

FINES/PENALTIES ARE PAYABLE TO THE DEPARTMENT OF CORRECTIONS.

COUNT 2 IS DISMISSED.



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

Total Custodial Term

030 Years 00 Months 000 Days

Institution Name

CARE COMMISS/CORR

Total Probation Term

00 Years 00 Months

DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)

A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.)

☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))

	Standard	Doubled
1st Degree	@ \$	@ \$
2nd Degree	@ \$	@ \$
3rd Degree	@ \$	@ \$
4th Degree	@ \$	@ \$
DP or	@ \$	@ \$
Petty DP	@ \$	@ \$

Total DEDR Penalty \$

☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)

Forensic Laboratory Fee (N.J.S.A. 2C:35-20)

Offenses @ \$

Total Lab Fee

\$

VCCO Assessment (N.J.S.A. 2C:43-3.1)

Counts	Number	Amount
1, 3	2 @	\$ 100.00
	@	\$
	@	\$
	@	\$
Total VCCO Assessment \$ 200.00		

Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)

Offense

Mandatory Penalty

\$

Offense Based Penalties

Penalty

Amount

\$

Other Fees and Penalties

Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3)

☒ \$ 30.00

Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2)

☒ 2 Offenses @ \$ 75.00

Total: \$ 150.00

Probation Supervision Fee (N.J.S.A. 2C:45-1d)

☐ \$

Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6)

☐ Offenses @ \$

Total \$

Transaction Fee (N.J.S.A. 2C:46-1.1)

☐

Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4)

☐ \$

Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7)

☐ \$

Fine

\$

Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10)

☐ \$

Restitution

Joint & Several

\$

Total Financial Obligation

\$ 380.00

Details

Additional Conditions

- ☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29).
- ☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4).
- ☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4).
- ☒ The defendant is hereby ordered to serve a 5 year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2).
- ☐ The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires
- ☐ The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8).
- ☐ The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1).

Findings Per N.J.S.A. 2C:47-3

- ☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior.
- ☐ The court finds that the defendant is amenable to sex offender treatment.
- ☐ The court finds that the defendant is willing to participate in sex offender treatment.

License Suspension

- ☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived
- ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1)
- ☐ Eluding (N.J.S.A. 2C:29-2)
- ☐ Other

Number of Months

☐ Non-resident driving privileges revoked

Start Date

End Date

Details

Driver's License Number

Jurisdiction

If the court is unable to collect the license, complete the following:
Defendant's Address

City

State

Zip

Date of Birth

Sex

☐ M ☐ F

Eye Color

Time Spent in Custody	Gap Time Spent in Custody	Prior Service Credit
R. 3:21-8	N.J.S.A. 2C:44-5b(2)	
Date: From - To	Date: From - To	Date: From - To
06/16/2015 - 09/28/2016	-	-
-	-	-
-	-	-
-	Total Number of Days _____	-
-	Rosado Time	-
-	Date: From - To	-
-	-	-
-	-	-
-	Total Number of Days _____	-
Total Number of Days 471		Total Number of Days

AGGRAVATING FACTORS

1. The nature and circumstances of the offense, and the role of the actor therein, including whether or not it was committed in an especially heinous, cruel, or depraved manner.
2. The gravity and seriousness of harm inflicted on the victim, including whether or not the defendant knew or reasonably should have known that the victim of the offense was particularly vulnerable or incapable of resistance due to advanced age, ill-health, or extreme youth, or was for any other reason substantially incapable or exercising normal physical or mental power of resistance.
3. The risk that the defendant will commit another offense.
9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

7. The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense.

The Court finds the Aggravating Factors substantially outweigh the Mitigating Factors.

This was a plea agreement between the Prosecutor and the defendant. The plea appears fair and in the interest of justice. The Court will impose a sentence in accordance with the terms of the agreement.

Attorney for Defendant at Sentencing EDWARD C BERTUCIO JR	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing MARC C LEMIEUX	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Joseph Oxley	
Judge (Signature) /s Joseph Oxley	Date 09/29/2016