

BRADLEY D. BILLHIMER
Ocean County Prosecutor

ANTHONY U. CARRINGTON
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027
www.OCPONJ.gov

October 6, 2022

Via OPRA Machine: opra+request-35783-caf7ed05@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 21001393 – State v. Gerardo Ruiz

Dear Sir/Madam:

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

Please be advised that there are no responsive documents pursuant to your request for Global Subject Activity Reports, Arrest Reports, Sentencing Information and Criminal Information Forms.

If I can be of further assistance, please do not hesitate to contact me directly at 732-929-2027, x3135.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/dp

Enclosures

Prestia , Donna

From: Khajezadeh, Dina
Sent: Sunday, October 2, 2022 4:11 PM
To: Prestia , Donna; Carey, Erin
Subject: FW: [EXTERNAL] OPRA request - Case reports

Sent from my Verizon, Samsung Galaxy smartphone

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

From: Resident <opra+request-35783-caf7ed05@requests.opramachine.com>
Date: 10/2/22 3:47 PM (GMT-05:00)
To: "Khajezadeh, Dina" <DKhajezadeh@co.ocean.nj.us>
Subject: [EXTERNAL] OPRA request - Case reports

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

Dear Ocean County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

Any relevant arrest reports, global subject activity reports, preliminary law enforcement incident reports, complaint warrants, complaint summonses, affidavits, indictments, criminal information forms, plea forms, and sentencing information, where applicable, for the following defendants:

Ryan Walsh (Case # 22002860)

Gerardo Ruiz (charges announced 9/28/22) 20001393

Mayra Gavilanez-Alectus (charges announced 9/29/22) 20001328

Yours sincerely,

Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-35783-caf7ed05@requests.opramachine.com

COMPLAINT - WARRANT

COMPLAINT NUMBER

1526

W

2021

000173

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

SEASIDE HGTS MUNICIPAL COURT

116 SHERMAN AVE

SEASIDE HEIGHTS

NJ 08751-0000

732-830-2202 COUNTY OF: OCEAN

of CHARGES

1

CO-DEFTS

POLICE CASE #:

21SH02458

COMPLAINANT
NAME:

MICHAEL MCCURDY

116 SHERMAN AVENUE

ATTN WARRANTS

SEASIDE HEIGHTS

NJ 08751

ADDRESS:

201 OCEAN TERRACE

SEASIDE HEIGHTS

NJ 08751-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLACK

DRIVER'S LIC. #:

SOCIAL SECURITY #:

TELEPHONE #:

LIVSCAN PCN #:

DOB: 12/11/1970

SBI #:

DL STATE: NJ

By certification or on oath, the complainant says that to the best of his/her knowledge, defendant on or about 05/01/2021 in SEASIDE HEIGHTS BORO WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR DEATH OF ALECIA L. PERREAULT OR DID PURPOSELY OR KNOWINGLY CAUSE SERIOUS BODILY INJURY TO ALECIA L. PERREAULT RESULTING IN HER DEATH, CONTRARY TO THE PROVISION OF N.J.S.A 2C:11-3A(1)

Information and belief the named defendant, OCEAN County, NJ did: KNOWINGLY CAUSE THE DEATH OF ALECIA L. PERREAULT OR DID PURPOSELY OR KNOWINGLY CAUSE SERIOUS BODILY INJURY TO ALECIA L. PERREAULT RESULTING IN HER DEATH, CONTRARY TO THE PROVISION OF N.J.S.A 2C:11-3A(1)

in violation of:

Original Charge

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

2)

Amended Charge

3)

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

Signed:

MICHAEL MCCURDY

Date: 05/01/2021

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

120 HOOPER AVE

Date of Arrest: 05/01/2021 Appearance Date:

Time:

In the county of OCEAN

SEASIDE 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. JACQUELINE HOLIDAY

Signature and Title of Judicial Officer Issuing Warrant

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				STATE V.		GERARDO G RUIZ			
1526	W	2021	000173						
COURT CODE	PREFIX	YEAR	SEQUENCE NO						
FTA Bail Information		Date Bail Set:		Amount Bail Set: \$		by:		☐ Bail Recog. Attached	
Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed:				Date Referred to 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:11-3A(1)			2)			3)		
Amended Charge									
Waiver Indt/Jury									
Plea/Date of Plea	Plea:	Date:		Plea:	Date:		Plea:	Date:	
Adjudication (* see code)	Finding Code:	Date:		Finding Code:	Date:		Finding Code:	Date:	
Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp
Probation Term			Susp. Imp			Susp. Imp			Susp. Imp
Cond. Discharge Term									
Community Service									
D/L Suspension Term									
Fines/Costs	Fines:	Costs:		Fines:	Costs:		Fines:	Costs:	
VCCB/SNSF	VCCB:	SNSF:		VCCB:	SNSF:		VCCB:	SNSF:	
DEDR/Lab Fee	DEDR:	LAB:		DEDR:	LAB:		DEDR:	LAB:	
CD Fee/Drug Ed Fnd	CD:	DAEF:		CD:	DAEF:		CD:	DAEF:	
DV Surch/Other Fees	DV:	Other:		DV:	Other:		DV:	Other:	
Restitution Beneficiary:									
Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:							* 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		
COMPLAINT - WARRANT (Court Action)									
Page 2 of 7							NJ/CDR2 1/1/2017		

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1526	W	2021	000173
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
SEASIDE HGTS MUNICIPAL COURT 116 SHERMAN AVE SEASIDE HEIGHTS NJ 08751-0000 732-830-2202 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21SH02458	
COMPLAINANT NAME: MICHAEL MCCURDY		DEFENDANT INFORMATION SEX: M EYE COLOR: BLACK DOB: 12/11/1970 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	
By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 05/01/2021 in SEASIDE HEIGHTS BORO, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY OR KNOWINGLY CAUSE THE DEATH OF ALECIA L. PERREAULT OR DID PURPOSELY OR KNOWINGLY CAUSE SERIOUS BODILY INJURY TO ALECIA L. PERREAULT RESULTING IN HER DEATH, CONTRARY TO THE PROVISION OF N.J.S.A 2C:11-3A(1)			
in violation of:			
Original Charge	1) 2C:11-3A(1)		2)
Amended Charge	3)		
CERTIFICATION: I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment Signed: MICHAEL MCCURDY Date: 05/01/2021			
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: 05/01/2021 Appearance Date: Time: Phone: 732-504-0700			
PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT			
☐ Probable cause IS NOT found for the issuance of this complaint.			
Signature of Court Administrator or Deputy Court Administrator		Date	Signature of Judge Date
☒ Probable cause IS found for the issuance of this complaint. JACQUELINE HOLIDAY JUDICIAL OFFICER 05/01/2021 Signature and Title of Judicial Officer Issuing Warrant Date TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT. Bail Amount Set: by: (if different from judicial officer that issued warrant)			
☐ Domestic Violence - Confidential		☐ Related Traffic Tickets or Other Complaints	☒ Serious Personal Injury/ Death Involved
Special conditions of release: ☐ No phone, mail or other personal contact w/victim ☐ No possession firearms/weapons ☐ Other (specify):		COMPLAINT - WARRANT (DEFENDANT'S COPY) Page 3 of 7 NJ/CDR2 1/1/2017	

COMMITMENT

COMPLAINT NUMBER

1526

W

2021

000173

COURT CODE

PREFIX

YEAR

SEQUENCE NO

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

of CHARGES 1 CO-DEFTS POLICE CASE #: 21SH02458

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

THE STATE OF NEW JERSEY

VS.

GERARDO G RUIZ

ADDRESS: 201 OCEAN TERRACE

SEASIDE HEIGHTS NJ 08751-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLACK DOB: 12/11/1970
DRIVER'S LIC. # [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED]
TELEPHONE #: [REDACTED] ()
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. 2C:11-3A(1)			1	MURDER - PURPOS
2.				
3.				
4.				

Commitment Reason: Criminal Justice Reform

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

Date of Arrest: 05/01/2021

Phone: 732-504-0700

JACQUELINE HOLIDAY JUDICIAL OFFICER

05/01/2021

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER			
1526	W	2021	000173
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

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

# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21SH02458
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COMPLAINANT MICHAEL MCCURDY
NAME: 116 SHERMAN AVENUE
ATTN WARRANTS
SEASIDE HEIGHTS NJ 08751

THE STATE OF NEW JERSEY

VS.

GERARDO G RUIZ

ADDRESS: 201 OCEAN TERRACE

SEASIDE HEIGHTS NJ 08751-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BLACK DOB: 12/11/1970

DRIVER'S LIC. # [REDACTED] DL STATE: NJ

SOCIAL SECURITY #: [REDACTED] SBI #:

TELEPHONE #: ()

LIVESCAN PCN #:

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:
See Appendix A

Affidavit of Probable Cause

Affidavit of Probable Cause

COMPLAINT NUMBER

1526**W****2021****000173**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****GERARDO G RUIZ**

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

3. If victim was injured, provide the extent of the injury:

Certification:

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

Signed: MICHAEL MCCURDY LAW ENFORCEMENT OFFICER

Date: 05/01/2021

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

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
1526	W	2021	000173
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

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

# of CHARGES 1	CO-DEFTS	POLICE CASE #: 21SH02458
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COMPLAINANT NAME: MICHAEL MCCURDY
 116 SHERMAN AVENUE
 ATTN WARRANTS
 SEASIDE HEIGHTS NJ 08751

THE STATE OF NEW JERSEY

VS.

GERARDO G RUIZ

ADDRESS: 201 OCEAN TERRACE

SEASIDE HEIGHTS NJ 08751-0000

DEFENDANT INFORMATION	
SEX: M EYE COLOR: BLACK	DOB: 12/11/1970
DRIVER'S LIC. #:	DL STATE: NJ
SOCIAL SECURITY #:	SBI #:
TELEPHONE #:	
LIVSCAN 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 charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
 - Stationhouse interview room camera
- The defendant was known to the victim as:
 - Friend
 - Acquaintance
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence multiple items
- The defendant appeared to be under the influence of drugs or alcohol at the time of the offense.
- A member of the public provided information to a 9-1-1 call center or dispatcher (or similar).
- The police received relevant information via radio from a 911 dispatcher (or similar).
- 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: 1

Certification:

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

Signed: MICHAEL MCCURDY LAW ENFORCEMENT OFFICER Date: 05/01/2021

Preliminary Law Enforcement Incident Report

Page 7 of 7

7/20/2018

State VS Gerardo Ruiz Affidavit of Probable Cause

- A. On Saturday, May 1, 2021, Seaside Heights Police responded to Room 301 of the Surfside Motel at 200 Ocean Terrace at approximately 0732 hours following a phone call into headquarters from David Ruiz in reference to his nephew Gerardo Ruiz. David Ruiz advised that he received a phone call from Gerardo Ruiz earlier in which Gerardo Ruiz stated that he killed a girl at the Offshore Motel. David Ruiz further advised that Gerardo Ruiz is staying at the Surfside Motel in Room 301.
- B. Upon police arrival at Room 301 of the Surfside Motel, police discovered Gerardo Ruiz in the shower, naked, suffering from an apparent overdose. Ruiz was transported to the Community Medical Center Emergency Department, Room 16, where he was intubated and listed in stable condition. Transporting medics observed what appeared to be fresh scratches to Ruiz's arms and hands.
- C. Police subsequently responded to Room 19 of the Offshore Motel at 108 Boulevard at approximately 0802 hours. Upon making entry in the room, police discovered an unresponsive twenty-nine (29) year old female, later identified as Alecia Perrault, on the bed of the motel room with apparent wounds to the neck. Police also observed Perrault to have no pants on.
- D. Detective Denis Mitchell spoke with the office staff of the Offshore Motel. Staff advised that Room 19 was rented by Alecia Perrault on March 18, 2021.
- E. Detective Denis Mitchell was advised by Detective Joseph Mitchell, of the Ocean County Prosecutors Office, that Room 301 of the Surfside Motel was rented by Gerardo Ruiz on October 30, 2020.
- F. On Saturday, May 1, 2021, Detective Denis Mitchell made application to the Court telephonically for a search warrant for Room 19 of the Offshore Motel at 108 Boulevard in Seaside Heights. The search warrant, which was approved by Supervising Assistant Prosecutor Kristin Pressman, was authorized by the Honorable Rochelle Gizinski at 1033 hours.
- G. On Saturday, May 1, 2021, Detective Denis Mitchell made application to the Court telephonically for a search warrant for Room 301 of the Surfside Motel at 200 Ocean Terrace in Seaside Heights. The search warrant, which was approved by Supervising Assistant Prosecutor Kristin Pressman, was authorized by the Honorable Rochelle Gizinski at 1033 hours.
- H. Detective Brant Uricks of O.C.P.O. Homicide responded to Community Medical Center in Toms River to ascertain the status of the suspect, Gerardo Ruiz. Information supplied by Detective Uricks is as follows: Gerardo Ruiz was lying supine in room 16 of the Emergency Department. He was intubated and unclothed, with a hospital gown covering his genitals. In speaking with the nurse, Elizabeth Zambrano, it was learned that Ruiz was not responding to sternum rubs or other tests performed by doctors to check for

responsiveness. A subsequent C.T. scan showed to be unremarkable and follow up scans were to be conducted. A visual inspection of Ruiz showed skin abrasions (scratches) to the left cheek, right abdomen, right chest, and multiple in the area of the right bicep. Also noted were two open wounds to the right hand and abrasions to the knees. Officer Hendrickson of the Seaside Heights Police Department was guarding Mr. Ruiz at the hospital.

- I. Detective Denis Mitchell and this affiant, of the Seaside Heights Police Department, spoke with the occupants [REDACTED]

[REDACTED] The residents, identified as Lisa Thorsen and juvenile A.G., advised that they heard a male yelling the night prior from approximately 2300 hours to 0100 hours. Juvenile A.G. further advised that he heard a male voice yell, "I'm fucking done."

- J. On Saturday, May 1, 2021, Detective Nicole Testa of the Ocean County Prosecutors Office, and this affiant responded to the residence of David Ruiz, located at [REDACTED]

[REDACTED] Ruiz agreed to respond to Seaside Heights Police Department to provide a taped statement regarding the incident.

- K. Upon speaking with Ruiz, he stated that he received a call from Gerardo Ruiz via Facebook Video a little before 0730 hours. Upon speaking with Gerardo Ruiz, he told Mr. Ruiz that he just "ruined his life" or words to that effect. When Mr. Ruiz asked how he ruined his life, he advised that he killed a girl. When Mr. Ruiz asked how he killed her, Ruiz explained that he had strangled her because she robbed him of money.

- L. At this point in time, Mr. Ruiz and Gerardo Ruiz were still talking on video call and he could observe the Ruiz taking pills and drinking Coors Lite. It was Mr. Ruiz's understanding that at that point, Ruiz was attempting to commit suicide based upon how many pills he watched him take while on the video chat. He then stated that Ruiz put his phone down as he was getting in the shower with the video call still on. Mr. Ruiz subsequently heard a "thud" and knew Ruiz collapsed. Mr. Ruiz stated that he immediately called Seaside Heights Police Department directly to advise of the events that transpired. At the conclusion of Mr. Ruiz' statement, he signed consent for his cellular phone to be forensically extracted.

- M. On Saturday, May 1, 2021, medics were requested to respond to Room 19 of the Offshore Motel. As a result, Alecia Perrault was pronounced dead via telemetry at 1053 hours by Dr. Okorah, MD455, of Newark Beth Israel Hospital.

- N. Detective Joseph Mitchell responded to the Surfside Motel to view surveillance. Detective Denis Mitchell was advised by Detective Mitchell that Ruiz can be seen on video leaving Room 301 at approximately 0045 hours. Ruiz returns to the room at approximately 0059 hours and leaves again at approximately 0105 hours.

- O. Detective Joseph Mitchell then responded to the Sunrise Motel at 202 Boulevard in Seaside Heights where he observed surveillance footage. Detective Denis Mitchell was advised that an individual can be seen walking in the direction of the Offshore Motel at approximately 0048 hours. An individual can be seen walking in the direction of the Surfside Motel at approximately 0058 hours.
- P. On Saturday, May 1, 2021, at 1215 hours, the aforementioned Court authorized search warrant of Room 301 of the Surfside was executed by members of the Ocean County Prosecutor's Office and Ocean County Sheriff's Office Crime Scene Investigations Unit. The motel room was photographed as it appeared upon law enforcement arrival by Detective Tyler Walsh of the Ocean County Sheriff's Office, Crime Scene Investigations Unit. A search of the room resulted in the collection of one Coors Light can, [REDACTED]
[REDACTED] eight (8) white capsules, one (1) black in color Apple iPhone, five (5) SIM cards, one (1) pair of blue jeans, one (1) blue t-shirt, one (1) black sweatshirt, and two (2) forensic vacuuming's. All seized items were photographed and collected by Detective Tyler Walsh. The black in color Apple iPhone was subsequently turned over to Detective Joseph Mitchell, of the Ocean County Prosecutors Office.
- Q. On May 1, 2021 Detective Nicole Testa of the Ocean County Prosecutor's Office, Major Crime Unit and this affiant responded to [REDACTED] which is the residence of Rachel Perreault, the mother and Next of Kin of the decedent. Upon making notification of the death of the decedent, Rachel Perreault relayed to law enforcement that she had last spoken to the decedent via text message on Friday, April 30, 2021 at approximately 1400 hours but had not seen the decedent or spoken to the decedent since then. When asked if the decedent had a boyfriend, Perreault explained that she only knew of a "Terry" from Eatontown, New Jersey.
- R. On May 1st, 2021 at 1113 hours, the warrant was executed for the location of the victim, The Offshore Motel Room 19, 108 Boulevard, Seaside Heights N.J. Detective Lesniakowski, the lead Detective for the Sheriff's Department's C.S.I. Unit, was in charge of crime scene processing and evidence collection, Supervised by Detective Sergeant Scutti of C.S.I. Detective Uricks, the designated crime scene Detective, described the following in room 19: A studio style room with a single bed and one bathroom on the lower level of the multi-unit level. The decedent was lying supine on the bed wearing only a hooded sweatshirt pulled up to her breast area. A pair of sweatpants with underwear still wrapped inside were lying on the bed next to her. The decedent, a petite white female was lying legs spread with no clothing on her lower extremities. Pronounced bruising was obvious in the area of the neck, and petechial hemorrhaging could be seen in the eyes upon examination. The

decendent also moved a fecal purge that was visible when she was rolled over upon the initial medical examination by Investigator Kathy Wilson of the Ocean County Medical Examiner's Office. The hands of the decendent were processed and bagged, and she was placed in a body containment bag and sealed at 1325 hours by Detective Lesniakowski (Tag#2667066). The decendent was transported by Kedz Funeral Home to Community Medical Center where a postmortem examination is to be conducted.

S. On May 1, 2021 the aforementioned facts were provided to Supervising Assistant Prosecutor Kristin Pressman who approved charging Gerardo Ruiz with Murder pursuant to N.J.S.A 2C:11-3A(1).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

THE STATE OF NEW JERSEY :

VS. :

GERARDO G. RUIZ :

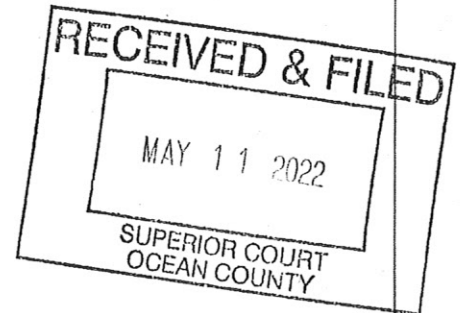
Defendant :

INDICTMENT

NO. 22-09-906

COUNT ONE

MURDER-FIRST DEGREE



The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths present that GERARDO G. RUIZ, on or about May 1, 2021, in the Borough of Seaside Heights, County of Ocean, and within the jurisdiction of this Court, did purposely or knowingly cause the death of Alecia Perreault, or did purposely or knowingly cause serious bodily injury to Alecia Perreault, resulting in her death, contrary to the provisions of N.J.S.A. 2C:11-3a(1) or N.J.S.A. 2C: 11-3a(2), and against the peace of this State, the Government and dignity of the same.

BRADLEY D. BILLHIMER
OCEAN COUNTY PROSECUTOR

DATED: 5/11/22

BY: *Kim Carr*
KIMBERLY CARR
ASSISTANT PROSECUTOR

ENDORSED: *Wm H. With*
Foreperson

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

GERARDO G. RUIZ

INDICTMENT NO.

22-05-906

INDICTMENT FOR

MURDER

BRADLEY D. BILLHIMER
Ocean County Prosecutor

A TRUE BILL

W. P. With
Foreperson

ELIGIBLE
DEFENDANT
UNDER BAIL
REFORM:
DETAINED

Bail

Condition Of Bail

NOTICE: This is a public document, which means the document as submitted will be available to the public upon request. Therefore, do not enter personal identifiers on it, such as Social Security number, driver's license number, vehicle plate number, insurance policy number, active financial account number, or active credit card number.



**New Jersey Judiciary
Plea Form**

County OCEAN
Prosecutor File Number 21001393

Defendant's Name: GERARDO RUIZ

before Judge: Honorable GUY P. RYAN, P. J. C. P.

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum			
					Time	Fine	VCCO Assmt*
I 2209906	1	Aggravated Manslaughter	1	Max	Life	200,000	100 -
		2C:11-04(c)(1)		Max			
		(As Amended)		Max			
		2C:11-4a(1)		Max			
Your total exposure as the result of this plea is:				Total	Life	200,000	100 -

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 guilty **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. 3:28-6(d))? ☒ [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]

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 Office Assessment? ☒ [Yes] ☐ [No]
- c. You must pay a minimum Victims of Crime Compensation Office 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(3) (causes or permits child to engage in sexual act that is to be photographed or exhibited), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(4) (photographs or films a child in sexual act), if the crime was committed on or after February 1, 2018, N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography), N.J.S.A. 2C:24-4.1 (leader of a child pornography network), if the crime was committed on or after February 1, 2018, 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?
- (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]

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 25 years and 6 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 29 years and 9.0 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 30 years and 0 months (fill in the number of years/months) and the maximum mandatory extended term can be 35 years and 0 months (fill in the number of years/months).

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] ☒ [NA]

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] ☒ [NA]

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] ☐ [NA]

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

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
		<u>Any and all charges on Complaint W2021 1731526</u>
		<u>not closed to the INDUSTRY</u>

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

35 YEARS NEW JERSEY
STATE PRISON SUBJECT TO NORA
Defendant is mandatory extended term as a Repeat Violent Offender pursuant to 2C 43-7.1b(5) and 43-7a(1). Therefore faces 30 years NORA to life imprisonment. State to seek/move for the mandatory extended term and recommend specific sentence of 35 years subject to NORA

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]
GR [Yes] [No]
[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?

W/A
[Yes] [No]

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]

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]

e. Would you like the opportunity to do so?

[Yes] [No]

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]

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, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, 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, or upon entry of a guilty plea if a guilty plea is a condition of admission to the Pretrial Intervention Program, 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]

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

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:

NONE

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

23. a. Do you understand that the judge is not bound by any promises or recommendations of ☒ [Yes] [No]
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?

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

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

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 9/28/22 Defendant Amadeo Ruiz

Defense Attorney Frank R. Lively Michael J. Jiles

Prosecutor Kim Pan

[] 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 *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 [Yes] [No]
Aggravated Manslaughter 2C:11-4(a)(1), First Degree
(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 [Yes] [No]
must impose a 5 year term of parole supervision and that term will begin as
soon as you complete the sentence of incarceration?
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 [Yes] [No]
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?

Date: 9/28/22 Defendant: Joseph Ray
Defense Attorney: Frank McCarty
Prosecutor: [Signature]