

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

January 23, 2023

Resident

Via OPRA Machine: opra+request-39079-cebbb005@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 22003050 – Othelia Barnard

Dear Sir/Madam:

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

As of this date, please be advised that there are no responsive documents pursuant to your requests for Arrest reports, Global Subject Activity report, Indictments, Plea Forms, Sentencing Information and Criminal Information Forms.

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

Yours very truly,
Dina R. Khajezadeh
Dina R. Khajezadeh
Assistant Prosecutor

DRK/ec

Enclosures

Due 1/18/25

Carey, Erin

From: Khajezadeh, Dina
Sent: Saturday, January 14, 2023 10:56 PM
To: Carey, Erin; Prestia, Donna
Subject: FW: [EXTERNAL] OPRA request - Case reports

Categories: IMPORTANT DOCUMENTS

Sent from my Verizon, Samsung Galaxy smartphone

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

From: Resident <opra+request-39079-cebbb005@requests.opramachine.com>
Date: 1/14/23 10:31 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:

Othelia Barnard (Case # 22003050)
Reginald Taylor (Case # 22003078)
Kevin Codd (Case # 22003118)
Daisy Martinez (Case # 22003159)
Lucian DeMarco (Case # 22003165)
Alexa Freshi (Case # 22003199)

Yours sincerely,

Resident

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1506	W	2022	000725	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	OTHELIA S BARNARD	
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN				ADDRESS: 1337 PARIS COURT LKA LAKEWOOD NJ 08701-0000	
# of CHARGES 2	CO-DEFTS 0	POLICE CASE #: 15446-22		DEFENDANT INFORMATION	
COMPLAINANT NAME: MICHAEL BENNETT II DET 401 CHAMBERS BRIDGE RD ATTN WARRANTS BRICK TOWN NJ 08723				SEX: F EYE COLOR: BROWN DOB: 11/22/1979 DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: TELEPHONE # [REDACTED] (C) 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 01/04/2022 in BRICK TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, TAKE OR OBTAIN A CREDIT CARD FROM THE PERSON OR POSSESSION OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY TAKING POSSESSION OF A PRUDENTIAL MONEY MARKET DEBIT CARD BELONGING TO VICTIM "WS" WITHOUT HIS KNOWLEDGE AND THEN USING THE CREDIT CARD ON MULTIPLE OCCASIONS TO WITHDRAWAL MONEY FROM HIS ACCOUNT AFTER HIS DEATH. THE TOTAL REPORTED AMOUNT FRAUDULENTLY WITHDRAWN IS \$10,651.00. WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN MONEY, SPECIFICALLY BY USING A STOLEN PRUDENTIAL MONEY MARKET DEBIT CARD BELONGING TO VICTIM "WS" ON MULTIPLE OCCASSION TO WITHDRAWAL APPROXIMATELY \$10,651.00 FROM HIS PRUDENTIAL MONEY MARKET ACCOUNT AFTER HIS DEATH.					
in violation of:					
Original Charge	1) 2C:21-6C(1)		2) 2C:21-6H		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: MICHAEL BENNETT II DET		Date: 09/29/2022			
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. DONNA MORRA JUDICIAL OFFICER 09/29/2022 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	
				Page 1 of 7 NJ/CDR2 1/1/2017	

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1506**W****2022****000725**

STATE V.

OTHELIA S BARNARD

COURT CODE PREFIX YEAR SEQUENCE NO.

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:21-6C(1)

2) 2C:21-6H

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

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NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1506	W	2022	000725	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	OTHELIA S BARNARD	
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN				ADDRESS: 1337 PARIS COURT LKA LAKEWOOD NJ 08701-0000	
# of CHARGES 2	CO-DEFTS 0	POLICE CASE #: 15446-22	DEFENDANT INFORMATION		
COMPLAINANT NAME: MICHAEL BENNETT II DET			SEX: F EYE COLOR: BROWN DOB: 11/22/1979 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: LIVESCAN PCN #:		
			DL STATE: NJ SBI #:		
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 01/04/2022 in BRICK TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, TAKE OR OBTAIN A CREDIT CARD FROM THE PERSON OR POSSESSION OF ANOTHER WITHOUT THE CARDHOLDER'S CONSENT, SPECIFICALLY BY TAKING POSSESSION OF A PRUDENTIAL MONEY MARKET DEBIT CARD BELONGING TO VICTIM "WS" WITHOUT HIS KNOWLEDGE AND THEN USING THE CREDIT CARD ON MULTIPLE OCCASIONS TO WITHDRAWAL MONEY FROM HIS ACCOUNT AFTER HIS DEATH. THE TOTAL REPORTED AMOUNT FRAUDULENTLY WITHDRAWN IS \$10,651.00. WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY USE A STOLEN CREDIT CARD TO OBTAIN MONEY, SPECIFICALLY BY USING A STOLEN PRUDENTIAL MONEY MARKET DEBIT CARD BELONGING TO VICTIM "WS" ON MULTIPLE OCCASSION TO WITHDRAWAL APPROXIMATELY \$10,651.00 FROM HIS PRUDENTIAL MONEY MARKET ACCOUNT AFTER HIS DEATH.					
in violation of:					
Original Charge	1) 2C:21-6C(1)		2) 2C:21-6H		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: MICHAEL BENNETT II DET				Date: 09/29/2022	
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: 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. DONNA MORRA JUDICIAL OFFICER 09/29/2022 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

1506**W****2022****000725**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

BRICK TOWNSHIP MUNICIPAL COURT
401 CHAMBERS BRIDGE
BRICK NJ 08723-0000
732-262-1226 COUNTY OF: OCEAN

of CHARGES 2 CO-DEFTS 0 POLICE CASE #: 15446-22

COMPLAINANT MICHAEL BENNETT II DET
NAME: 401 CHAMBERS BRIDGE RD
ATTN WARRANTS
BRICK TOWN NJ 08723

THE STATE OF NEW JERSEY**VS.****OTHELIA S BARNARD**

ADDRESS: 1337 PARIS COURT LKA
LAKEWOOD NJ 08701-0000

DEFENDANT INFORMATION

SEX: F EYE COLOR: BROWN DOB: 11/22/1979
DRIVER'S LIC. #: [REDACTED] DL STATE: NJ
SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED]
TELEPHONE #: [REDACTED] (C)
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

Affidavit of Probable Cause

COMPLAINT NUMBER			
1506	W	2022	000725
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 15446-22	
COMPLAINANT NAME: MICHAEL BENNETT II DET 401 CHAMBERS BRIDGE RD ATTN WARRANTS BRICK TOWN NJ 08723			
DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 11/22/1979 DRIVER'S LIC. #: SOCIAL SECURITY #: SBI #: TELEPHONE #: (C) LIVESCAN PCN #:			

THE STATE OF NEW JERSEY

VS.

OTHELIA S BARNARD

ADDRESS: 1337 PARIS COURT LKA

LAKEWOOD NJ 08701-0000

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:
Defendant was hired by the victim's family to care for him due to his failing health until he passed away on 12/29/2021. On 02/03/2022 the victim's sister-in-law was notified by Prudential Bank that someone had made multiple withdrawals from different ATM machines throughout the state from the victim's Prudential money market account for several weeks after his death. The total reported loss from the account was reported to be \$10,651.00. The victim's residence was searched by family for the debit card but it was unable to be located. A grand jury subpoena was issued to PNC Bank for surveillance footage from the ATM machines used to make the fraudulent withdrawals. PNC investigators were able to recover surveillance footage from several of the locations which depicted defendant utilizing the stolen debit card to make the transactions.

Affidavit of Probable Cause

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1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1506

W

2022

000725

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

OTHELIA S BARNARD

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

I am the investigating officer.

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 BENNETT II DET LAW ENFORCEMENT OFFICER

Date: 09/29/2022

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1506	W	2022	000725
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723-0000 732-262-1226 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 15446-22	
COMPLAINANT NAME: MICHAEL BENNETT II DET 401 CHAMBERSBRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 11/22/1979 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY
VS.
OTHELIA S BARNARD
ADDRESS: 1337 PARIS COURT LKA
LAKEWOOD NJ 08701-0000

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
- The defendant was known to the victim as:
 - Acquaintance
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence Surveillance footage

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 BENNETT II DET LAW ENFORCEMENT OFFICER

Date: 09/29/2022

Preliminary Law Enforcement Incident Report

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7/20/2018