

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

July 27, 2023

Via OPRA Machine: opra+request-48859-3978d19a@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 23002235
State v. Salvatore Umek

Dear Sir/Madam:

Enclosed please find the Complaint Summons, 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.

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

If I can be of further assistance, please contact me at 732-929-2027, x3135.

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

DRK/jd

Enclosures

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:

Joshua Gunnell (Case # 23001977)

Salvatore Umek (Case # 23002235)

Helecia Morris (sentenced 7/7/23)

Donna Jung (sentenced 7/7/23)

Yours sincerely,

Resident

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-48859-3978d19a@requests.opramachine.com

Is DKhajezadeh@co.ocean.nj.us the wrong address for OPRA requests to Ocean County Prosecutor's Office? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=ocean_county_prosecutors_office

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/case_reports_77

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1525	S	2023	000122
POINT PLEASANT BEACH MUN CT 416 NEW JERSEY AVE POINT PLEASANT BCH NJ 08742-0000 732-892-1118 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 22PP22919	
COMPLAINANT NAME: CHRISTOPH MOSCA NEW JERSEY AVENUE ATTN WARRANTS PT PLEASANT BCH NJ 08742		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 01/19/1978 DRIVER'S LIC. # [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: TELEPHONE #: [REDACTED] (c) LIVSCAN PCN #:	

THE STATE OF NEW JERSEY

VS.

SALVATORE UMEK

ADDRESS: 303 ATLANTIC AVE
POINT PLEASANT BEACH NJ 08742-0000

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 02/14/2019 in POINT PLEASANT BEACH, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, BETWEEN THE DATES OF 02/04/2019 AND 11/30/2021, DID UNLAWFULLY TAKE OR EXERCISE UNLAWFUL CONTROL OVER THE MOVABLE PROPERTY OF THE POINT PLEASANT BEACH FIRE COMPANY #2, TO WIT, MONEY IN EXCESS OF \$75,000, WITH THE PURPOSE TO DEPRIVE THE POINT PLEASANT BEACH FIRE COMPANY #2 THEREOF.

in violation of:

Original Charge	1) 2C:20-3A	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: CHRISTOPH MOSCA Date: 07/12/2023

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: 07/12/2023 Appearance Date: 07/12/2023 Time: 10:00AM Phone: 732-504-0700
Signature of Person Issuing Summons: CHRISTOPH MOSCA Date: 07/12/2023

☐ 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

1525**S****2023****000122**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**SALVATORE UMEK****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: **07/12/2023**☐ Advised of Rights by _____

Defendant Desires Counsel:

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

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

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

2)

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

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

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

Related Traffic Tickets and Complaints:**ORIGINAL - Court Action**

JUDGE'S SIGNATURE _____

DATE _____

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NJ/CDR1 1/1/2017

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

COMPLAINT NUMBER			
1525	S	2023	000122
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
POINT PLEASANT BEACH MUN CT 416 NEW JERSEY AVE POINT PLEASANT BCH NJ 08742-0000 732-892-1118 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 22PP22919	
COMPLAINANT NAME: CHRISTOPH MOSCA		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 01/19/1978 DRIVER'S LIC. #: SOCIAL SECURITY #: SBI #: DL STATE: NJ TELEPHONE #: (C) LIVSCAN PCN #:	

THE STATE OF NEW JERSEY
VS.
SALVATORE UMEK
ADDRESS: 303 ATLANTIC AVE
POINT PLEASANT BEACH NJ 08742-0000

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 02/14/2019 in POINT PLEASANT BEACH, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, BETWEEN THE DATES OF 02/04/2019 AND 11/30/2021, DID UNLAWFULLY TAKE OR EXERCISE UNLAWFUL CONTROL OVER THE MOVABLE PROPERTY OF THE POINT PLEASANT BEACH FIRE COMPANY #2, TO WIT, MONEY IN EXCESS OF \$75,000, WITH THE PURPOSE TO DEPRIVE THE POINT PLEASANT BEACH FIRE COMPANY #2 THEREOF.

in violation of:

Original Charge	1) 2C:20-3A	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: CHRISTOPH MOSCA Date: 07/12/2023

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: 07/12/2023 Appearance Date: 07/12/2023 Time: 10:00AM Phone: 732-504-0700

Signature of Person Issuing Summons: CHRISTOPH MOSCA Date: 07/12/2023

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

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

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

RETURN OF SERVICE INFORMATION

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. SALVATORE UMEK	
1525	S	2023	000122		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	ADDRESS: 303 ATLANTIC AVE POINT PLEASANT BEACH NJ 08742-0000	
POINT PLEASANT BEACH MUN CT 416 NEW JERSEY AVE POINT PLEASANT BCH NJ 08742-0000 732-892-1118 COUNTY OF: OCEAN					
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 22PP22919		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 01/19/1978 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY # [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: [REDACTED]	
COMPLAINANT CHRISTOPH MOSCA NAME: NEW JERSEY AVENUE ATTN WARRANTS PT PLEASANT BCH NJ 08742					

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 **02/14/2019** in **POINT PLEASANT BEACH**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, BETWEEN THE DATES OF 02/04/2019 AND 11/30/2021, DID UNLAWFULLY TAKE OR EXERCISE UNLAWFUL CONTROL OVER THE MOVABLE PROPERTY OF THE POINT PLEASANT BEACH FIRE COMPANY #2, TO WIT, MONEY IN EXCESS OF \$75,000, WITH THE PURPOSE TO DEPRIVE THE POINT PLEASANT BEACH FIRE COMPANY #2 THEREOF.

in violation of:

Original Charge	1) 2C:20-3A	2)	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: _____
	I certify that I was unable to serve the complaint-summons.

Signed: **CHRISTOPH MOSCA POINT PLEASANT BEACH POLICE** Date of Action: **07/12/2023**
Name, Title and Department of Officer

RETURN OF SERVICE INFORMATION

Affidavit of Probable Cause

COMPLAINT NUMBER

1525**S****2023****000122**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

POINT PLEASANT BEACH MUN CT
416 NEW JERSEY AVE
POINT PLEASANT BCH NJ 08742-0000
732-892-1118 COUNTY OF: OCEAN

of CHARGES
1

CO-DEFTS

POLICE CASE #:
22PP22919

COMPLAINANT CHRISTOPH MOSCA
NAME: NEW JERSEY AVENUE
ATTN WARRANTS
PT PLEASANT BCH NJ 08742

THE STATE OF NEW JERSEY**VS.****SALVATORE UMEK**

ADDRESS:
303 ATLANTIC AVE

POINT PLEASANT BEACH NJ 08742-0000

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **01/19/1978**DRIVER'S LIC. #: [REDACTED] DL STATE: **NJ**

SOCIAL SECURITY #: [REDACTED] SBI #:

TELEPHONE #: [REDACTED] (C)

LIVESCAN PCN #:

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

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:
The offender operated in the capacity of treasurer for Point Pleasant Beach Fire Company #2. Between 2/4/2019 and 11/30/21 the offender unlawfully transferred funds from the Fire Department operating bank account to an unauthorized personal American Express account, totaling \$101,517.48. During the investigation several subpoenas revealed the direct transfer of funds from the Fire Department account into the offenders personal accounts.

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

1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1525

S

2023

000122

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

SALVATORE UMEK

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

A review of bank records provided by the Fire Department Board of Trustees showing unauthorized transfers of funds. A review of the offender's personal bank records through multiple subpoenas confirming the unauthorized transfer of Fire Department funds into his personal accounts.

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: CHRISTOPH MOSCA LAW ENFORCEMENT OFFICER

Date: 07/12/2023

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
1525	S	2023	000122
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
POINT PLEASANT BEACH MUN CT 416 NEW JERSEY AVE POINT PLEASANT BCH NJ 08742-0000 732-892-1118 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 22PP22919	
COMPLAINANT NAME: CHRISTOPH MOSCA NEW JERSEY AVENUE ATTN WARRANTS PT PLEASANT BCH NJ 08742		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 01/19/1978 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] (C) LIVSCAN PCN #:	

ADDRESS: 303 ATLANTIC AVE
POINT PLEASANT BEACH NJ 08742-0000

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 known to the victim as:
 - Other/Explain member/treasurer
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence bank records
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is fire department funds

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: CHRISTOPH MOSCA LAW ENFORCEMENT OFFICER

Date: 07/12/2023