

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

November 28, 2023

Resident

Via OPRA Machine: opra+request-55318-50bacd1b@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 23003607 – Jose Pena

Dear Sir/Madam:

Enclosed please find the Complaint Warrants, Preliminary Law Enforcement Incident reports and Affidavits 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 request for the arrest reports, global subject activity reports, indictments, criminal information forms, plea forms, and sentencing information. You are welcome to resubmit your request for any documents/materials not in our possession.

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

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. JOSE G PENA	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
1514	W	2023	000917	ADDRESS: 1683 BURVILLE RD BRICK TOWNSHIP NJ 08701-0000	
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN					
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090819		DEFENDANT INFORMATION	
COMPLAINANT NAME: PTL. W BOWERS #445 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701				SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: SBI #: TELEPHONE #: (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 10/27/2023 in LAKEWOOD TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF UNITED TALMUDICAL ACADEMY AT 800 PRINCETON AVENUE, LAKEWOOD NJ, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT, SPECIFICALLY BY ENTERING THE FACIILITY THROUGH AN OPEN FRONT DOOR, WALKING AROUND THE SCHOOL INCLUDING ENTERING CLASSROOMS AND THE MAIN OFFICE, BEFORE EXITING THROUGH THE BACK DOOR AND STEALING A SILVER BICYCLE, IN VIOLATION OF N.J.S. 2C: 18-2A(1), A THIRD DEGREE CRIME.					
in violation of:					
Original Charge	1) 2C:18-2A(1)		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: PTL. W BOWERS #445 Date: 11/02/2023					
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. LOURDES SERRANO JUDICIAL OFFICER 11/02/2023 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

1514**W****2023****000917****STATE V.****JOSE G PENNA**

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:18-2A(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**

- 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			
1514	W	2023	000917
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090819	
COMPLAINANT NAME: PTL. W BOWERS #445			
DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: (C) LIVESCAN PCN #:			
ADDRESS: 1683 BURVILLE RD BRICK TOWNSHIP NJ 08701-0000			

THE STATE OF NEW JERSEY

VS.

JOSE G PENA

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 **10/27/2023** in **LAKEWOOD TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF UNITED TALMUDICAL ACADEMY AT 800 PRINCETON AVENUE, LAKEWOOD NJ, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT, SPECIFICALLY BY ENTERING THE FACIILITY THROUGH AN OPEN FRONT DOOR, WALKING AROUND THE SCHOOL INCLUDING ENTERING CLASSROOMS AND THE MAIN OFFICE, BEFORE EXITING THROUGH THE BACK DOOR AND STEALING A SILVER BICYCLE, IN VIOLATION OF N.J.S. 2C: 18-2A(1), A THIRD DEGREE CRIME.

in violation of:

Original Charge	1) 2C:18-2A(1)	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: **PTL. W BOWERS #445** Date: **11/02/2023**

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: Phone: **732-504-0700** **TOMS RIVER NJ 08753-0000**

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. **LOURDES SERRANO JUDICIAL OFFICER 11/02/2023**
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)

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NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1514**W****2023****000917**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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

of CHARGES

1

CO-DEFTS

POLICE CASE #:

23-090819

COMPLAINANT PTL. W

BOWERS #445

NAME:

231 THIRD STREET**ATTN WARRANTS****LAKEWOOD****NJ 08701****THE STATE OF NEW JERSEY****VS.****JOSE G PENA**

ADDRESS:

1683 BURVILLE RD**BRICK TOWNSHIP****NJ 08701-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **05/10/1995**

DRIVER'S LIC. #:

DL STATE:

SOCIAL SECURITY #:

SBI #:

TELEPHONE #: **(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**
at the following address: **OCEAN SUPERIOR COURT**

120 HOOPER AVEin the county of **OCEAN****TOMS RIVER****NJ 08753-0000**

Date of Arrest:

Phone: **732-504-0700**

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT**Page 4 of 7****NJ/CDR2 1/1/2017**

Affidavit of Probable Cause

COMPLAINT NUMBER

1514**W****2023****000917**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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

of CHARGES

1

CO-DEFTS

POLICE CASE #:

23-090819

COMPLAINANT

PTL. W**BOWERS #445**

NAME:

231 THIRD STREET**ATTN WARRANTS****LAKEWOOD****NJ 08701**

ADDRESS:

1683 BURVILLE RD**BRICK TOWNSHIP****NJ 08701-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **05/10/1995**

DRIVER'S LIC. #:

DL STATE:

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

(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:

On 10/27/2023 at approximately 09:35 hours I responded to 800 Princeton Avenue for a report of a non-residential burglary. Upon arrival school administration advised a Hispanic male entered the school at approximately 05:30 hours, walked around the school entering multiple rooms, and then ran out of the rear exit before stealing a bicycle in the rear of the school. I was then provided surveillance footage from the property confirming this. At approximately 17:33 hours I responded to a suspicious person near 2nd Street and Lexington Avenue. The subject was wearing the same grey hat, black and white Skechers sneakers, and had bruising under both of his eyes consistent with the male from the burglary. He was also a Hispanic male, matching the suspect from the video. The male was then identified as Jose G. Pena, and dispatch advised he had an active warrant for theft out of this jurisdiction for a separate incident.

Affidavit of Probable Cause**Page 5 of 7****1/1/2017**

Affidavit of Probable Cause

COMPLAINT NUMBER

1514

W

2023

000917

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

JOSE G PENA

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

Surveillance video from 800 Princeton Avenue, officer observations.

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

Certification:

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

Signed: PTL W BOWERS #445 LAW ENFORCEMENT OFFICER

Date: 11/02/2023

Affidavit of Probable Cause

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1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
1514	W	2023	000917
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090819	
COMPLAINANT NAME: PTL. W BOWERS #445 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #. SOCIAL SECURITY #: TELEPHONE #: (C) LIVESCAN PCN #:	
ADDRESS: 1683 BURVILLE RD BRICK TOWNSHIP 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 appeared to be under the influence of drugs or alcohol at the time of the offense.
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Officer observation
 - Previous encounter
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is bicycle
- The case involved burglary of an occupied structure. The victim(s) were:
 - Not confronted

Certification:

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

Signed: PTL. W BOWERS #445 LAW ENFORCEMENT OFFICER

Date: 11/02/2023

Preliminary Law Enforcement Incident Report

Page 7 of 7

7/20/2018

COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. JOSE G PENA	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
1514	W	2023	000918	ADDRESS: 1683 BURRVILLE RD BRICK TOWNSHIP NJ 08701-0000	
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN					
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090886		DEFENDANT INFORMATION	
COMPLAINANT PTL. W BOWERS #445 NAME: 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701				SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #. DL STATE: SOCIAL SECURITY #: SBI #: TELEPHONE #: (c) LIVESCAN PCN #:	
By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 10/27/2023 in LAKEWOOD TWP, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF BMG BAIS SHMUEL AT 655 PRINCETON AVENUE, LAKEWOOD NJ, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT, SPECIFICALLY BY UNLAWFULLY ENTERING 655 PRINCETON AVENUE THROUGH AN UNLOCKED DOOR, AND WHILE INSIDE THE BUILDING ATTEMPTING TO STEAL CASH OUT OF A CHARITY CASH BOX, IN VIOLATION OF N.J.S. 2C:18-2A(1), A THIRD DEGREE CRIME.					
in violation of:					
Original Charge	1) 2C:18-2A(1)		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: PTL. W BOWERS #445		Date: 11/02/2023			
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. <u>LOURDES SERRANO JUDICIAL OFFICER</u> 11/02/2023 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

1514**W****2023****000918****STATE V.****JOSE G PENA**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

FTA Bail Information

Date Bail Set: _____

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail
(v)

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:18-2A(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:**Related Traffic Tickets and Complaints:***** 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

COMPLAINT - WARRANT (Court Action)

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7**NJ/CDR2 1/1/2017**

COMPLAINT - WARRANT

COMPLAINT NUMBER

1514**W****2023****000918**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

LAKEWOOD MUNICIPAL COURT**231 THIRD ST****LAKEWOOD****NJ 08701-0000****732-364-2500**COUNTY OF: **OCEAN**# of CHARGES
1

CO-DEFTS

POLICE CASE #:

23-090886

COMPLAINANT

NAME:

PTL. W**BOWERS #445****THE STATE OF NEW JERSEY****VS.****JOSE G PENA**

ADDRESS:

1683 BURRVILLE RD**BRICK TOWNSHIP****NJ 08701-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **05/10/1995**

DRIVER'S LIC. #:

DL STATE:

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

(C)

LIVESCAN PCN #:

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 10/27/2023 in **LAKEWOOD TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT BURGLARY BY ENTERING A STRUCTURE OF BMG BAISS SHMUEL AT 655 PRINCETON AVENUE, LAKEWOOD NJ, WHICH WAS NOT OPEN TO THE PUBLIC AT THE TIME AND WHICH DEFENDANT WAS NOT LICENSED OR PRIVILEGED TO ENTER, WITH PURPOSE TO COMMIT AN OFFENSE THEREIN THEFT, SPECIFICALLY BY UNLAWFULLY ENTERING 655 PRINCETON AVENUE THROUGH AN UNLOCKED DOOR, AND WHILE INSIDE THE BUILDING ATTEMPTING TO STEAL CASH OUT OF A CHARITY CASH BOX, IN VIOLATION OF N.J.S. 2C:18-2A(1), A THIRD DEGREE CRIME.

in violation of:

Original Charge

1) **2C:18-2A(1)**

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: **PTL. W BOWERS #445**Date: **11/02/2023**

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. **LOURDES SERRANO JUDICIAL OFFICER 11/02/2023**

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

1514**W****2023****000918**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

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

of CHARGES

1

CO-DEFTS

POLICE CASE #:

23-090886

COMPLAINANT

PTL. W**BOWERS #445**

NAME:

231 THIRD STREET**ATTN WARRANTS****LAKEWOOD****NJ 08701****THE STATE OF NEW JERSEY****VS.****JOSE G PENA**

ADDRESS:

1683 BURRVILLE RD**BRICK TOWNSHIP****NJ 08701-0000**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN**DOB: **05/10/1995**

DRIVER'S LIC. #:

DL STATE:

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

(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**Page 4 of 7****NJ/CDR2 1/1/2017**

Affidavit of Probable Cause

COMPLAINT NUMBER			
1514	W	2023	000918
COURT CODE	PREFIX	YEAR	SEQUENCE NO
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090886	
COMPLAINANT NAME: PTL. W BOWERS #445 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #. SOCIAL SECURITY #: TELEPHONE #: (C) LIVESCAN PCN #:	

ADDRESS: 1683 BURRVILLE RD
BRICK TOWNSHIP 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:
On 10/27/2023 at approximately 14:07 hours I responded to 655 Princeton Avenue for a report of a non-residential burglary. Upon arrival I was viewing surveillance footage provided to me, in which I observed a separate burglary then the one being initially reported. Suspect in this burglary unlawfully entered 655 Princeton Avenue and attempted to steal money from a charity box. He was a Hispanic male wearing a grey baseball hat, black and white sneakers, black jacket and had bruising under his eyes. At approximately 17:33 hours I responded to a suspicious person near 2nd Street and Lexington Avenue. The subject was wearing the same grey hat, black and white Skechers sneakers, and had bruising under both of his eyes consistent with the male from the burglary. He was also a Hispanic male, matching the suspect from the video. The male was then identified as Jose G. Pena, and dispatch advised he had an active warrant for theft out of this jurisdiction for a separate incident.

Affidavit of Probable Cause

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1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1514**W****2023****000918**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****JOSE G PENA**

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

Surveillance video, officers observation.

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

Certification:

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

Signed: PTL W BOWERS #445 LAW ENFORCEMENT OFFICER

Date: 11/02/2023

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

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER			
1514	W	2023	000918
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
LAKEWOOD MUNICIPAL COURT 231 THIRD ST LAKEWOOD NJ 08701-0000 732-364-2500 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 23-090886	
COMPLAINANT NAME: PTL. W BOWERS #445 231 THIRD STREET ATTN WARRANTS LAKEWOOD NJ 08701		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 05/10/1995 DRIVER'S LIC. #: SOCIAL SECURITY #: TELEPHONE #: (C) LIVESCAN PCN #:	

THE STATE OF NEW JERSEY
VS.
JOSE G PENA
ADDRESS: 1683 BURRVILLE RD
BRICK TOWNSHIP 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 appeared to be under the influence of drugs or alcohol at the time of the offense.
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Officer observation
 - Previous encounter
 - Admission by the defendant
- The case involved theft and/or stolen property. The property which was stolen and/or possessed is cash

Certification:

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

Signed: PTL. W BOWERS #445 LAW ENFORCEMENT OFFICER

Date: 11/02/2023

Preliminary Law Enforcement Incident Report

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7/20/2018