

BRADLEY D. BILLHIMER
Ocean County Prosecutor

JOSEPH F. MITCHELL
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

December 15, 2020

Via OPRA Machine: opra+request-18631-f25f7c57@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request – “Case Reports”
OCPO Case# 84101913 – Robert Marshall

Dear Sir/Madam:

Enclosed please find the Complaint Warrant, Affidavits, Indictment and Judgment of Conviction pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Redactions of personal identifying information have been made pursuant to N.J.S.A. 47:1A-1.1 et seq.

Please be advised that there is no arrest report, global subject activity report, preliminary law enforcement incident report, criminal information form or plea form responsive to your request.

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/dp

Enclosures

STATE OF NEW JERSEY 84101913-001
V.

NEW JERSEY SUPERIOR COURT PAGE 01 OF 01
OCEAN COUNTY LAW DIVISION-CRIMINAL

ROBERT MARSHALL

XX JUDGMENT OF CONVICTION
CHANGE OF JUDGMENT
ORDER FOR COMMITMENT
INDICTMENT/ACCUSATION DISMISSED
JUDGMENT OF ACQUITTAL

DATE OF BIRTH 12-16-1938 S.B.I.# 254489A
DATE OF ARREST 12/19/84 DATE IND/ACCUSATION FILED
DATE OF THE ORIGINAL PLEA WAS
ORIGINAL PLEA NOT GUILTY GUILTY

ADJUDICATION BY GUILTY PLEA DATE 3/5/86 NON-JURY TRIAL DATE DISM/ACQUITTED DATE

ORIGINAL CHARGES

ACC	COUNT	DESCRIPTION	DEGREE	STATUTE
Ind. 85-01-26	1	Conspiracy to Commit Murder	1	2C:5-2
	3	Murder	1	2C:11-3a

FINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE
1	Conspiracy to commit murder	1	2C:5-2
3	Murder	1	2C:11-3a

IT IS THEREFORE, ON AUGUST 18 2006 ORDERED AND ADJUDGED THAT THE DEFENDANT IS SENTENCED AS FOLLOWS:

Count 1 of I-85-01-26 was merged into count 3, therefore, on count 3, defendant is re-sentenced to the custody of the Commissioner of the Department of Corrections for a term of LIFE, with a period of parole ineligibility of Thirty (30) years. Defendant is entitled to 7,912 days jail credit for time served.

VCCB: \$25. The superintendent of the institution shall withdraw sufficient amounts not to exceed one-third of the inmate's total income to satisfy any fine, fee or penalty imposed.

Defendant to submit to DNA testing and is to bear the cost for testing the sample provided.

No bail was posted in this matter.

() IT IS ORDERED THAT THE SHERIFF DELIVER THE DEFENDANT TO THE APPROPRIATE CORRECTIONAL AUTHORITY.

(X) DEFENDANT IS TO RECEIVE CREDIT FOR TIME SPENT IN CUSTODY

7912 12/19/84 - 8/17/06
TOTAL DAYS DATES (FROM/TO) DATES (FROM/TO)

() DEFENDANT IS TO RECEIVE GAP TIME CREDIT FOR TIME SPENT IN CUSTODY

TOT. CUSTODIAL TERM LIFE INSTITUTION DOC TOTAL DAYS 7912 DATES(FROM/TO) 12/19/84 - 8/17/06
TOT. PROBATION 0

STATE OF NEW JERSEY V. ROBERT MARSHALL

SBI# 254489A IND/ACC # I-85-01-26

TOTAL FINE \$ _____ 1) A MANDATORY DEDR PENALTY IS IMPOSED
 TOTAL RESTITUTION \$ _____ 1ST DEGREE @ \$3000 4TH DEGREE @ \$750
 _____ 2ND DEGREE @ \$2000 _____ DISORDERLY PERSONS @ \$500
 IF THE OFFENSE OCCURRED/AFTER _____ 3RD DEGREE @ \$1000
 12/23/1991 AN ASSESSMENT OF \$50 IS TOTAL DEDR PENALTY \$ _____
 IS IMPOSED ON EACH CONVICTED COUNT () COURT FURTHER ORDERS THAT COLLECTION OF DEDR PENALTY BE SUSPENDED UPON
 UNLESS THE BOX BELOW INDICATES DEFENDANT'S ENTRY INTO A RESIDENTIAL DRUG PROGRAM FOR THE TERM OF THE PROGRAM
 A HIGHER ASSESSMENT (\$30 IF OF-
 FENSE OCCURRED ON/AFTER 1/9/86 2) A FORENSIC LABORATORY FEE OF \$50 PER OFFENSE ORDERED _____ OFFENSES @ \$50.
 UNLESS HIGHER ASSESSMENT NOTED) TOTAL LAB FEE \$ _____
 (\$25 IF OFFENSE BEFORE 1/1/86) 3) NAME OF DRUGS INVOLVED _____
 4) A MANDATORY DRIVERS LICENSE SUSPENSION OF _____ MONTHS IS ORDERED
 (X) ASSESSMENT IMPOSED ON THE SUSPENSION SHALL BEGIN TODAY _____ AND END _____
 COUNT(S) 3 DRIVERS LICENSE # _____
 IS \$ 25 EACH.
 TOTAL VCCD ASSESSMENT \$ 25 DEFENDANT ADDRESS: _____
 () INSTALLMENT PAYMENTS ARE EYE COLOR _____ SEX _____ DATE OF BIRTH _____
 OF \$ _____ PER _____ () DEFENDANT HOLDS AN OUT-OF-STATE DRIVERS LICENSE FROM FOLLOWING
 BEGINNING _____ JURISDICTION _____ DRIVERS LICENSE # _____
 () YOUR NON-RESIDENT DRIVING PRIVILEGE IS REVOKED FOR _____ MONTHS

IF OFFENSE ON/AFTER 2/1/1993 & SENTENCE IS PROBATION OR STATE CORRECTIONAL FACILITY, A TRANSACTION FEE UP TO \$1.00
 IS ORDERED FOR EACH OCCASION WHEN A PAYMENT OR INSTALLMENT PAYMENT IS MADE
 IF OFFENSE OCCURRED ON/AFTER 08/02/93 A \$75 SAFE NEIGHBORHOOD SERVICES FUND ASSESSMENT IS ORDERED ON EACH CONVICTION.
 IF OFFENSE OCCURRED ON/AFTER 01/05/94 & SENTENCE IS PROBATION A FEE OF UP TO \$25 PER MO. FOR THE PROB. TERM IS ORDERED
 AMOUNT PER MONTH _____

NAME OF FORM PREPARER	TELEPHONE #	NAME (ATTORNEY)
mjs	732-929-2171	ESQ Stephen Kirsch, Esq.

REASONS

Aggravating Factors:

- (1) The nature and circumstances of the offense, and the role of the actor therein, including whether or not it was committed in an especially heinous, cruel, or depraved manner; (3) The risk that the defendant will commit another offense; (9) The need for deterring the defendant and others from violating the law.

Mitigating Factors:

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

The court is clearly convinced that the aggravating factors substantially outweigh the mitigating factors.

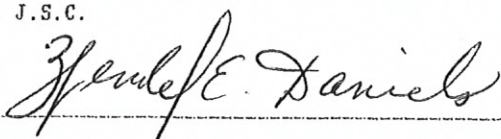
The Court adopts and incorporates as part of the reason for sentence herein all matters set forth on the record at the time of sentence.

JUDGE (NAME)
 WENDEL E DANIELS, J.S.C.

JUDGE(SIGNATURE)

DATE

August 18, 2006



AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANT

3. When the New Jersey State Police responded to this location, they found a 1981 Cadillac, bearing New Jersey Reg. [REDACTED] parked in the wrong direction on a one way section of the area. Robert O. Marshall advised that his wife had been shot and was laying in the front seat of this vehicle. Mr. Marshall claimed to have suffered a head wound as a result of being hit on the left rear of his head by an unknown assailant.

4. Mr. Marshall stated that he had brought his vehicle into this area to check his right rear tire, which he thought was going flat. Marshall further advised that he began to experience problems with his tire shortly after leaving Harrah's Casino in Atlantic City, where he and his wife had gone for dinner and gaming. Mr. Marshall stated that the tire was "mushy" when he left Harrah's. Between leaving Harrah's and the location where he stopped, Marshall passed at least two open service stations before the parkway, one open service station on the parkway, a state police barracks and two toll plazas. The location where he stopped was three (3) miles south of another open service station.

5. Mr. Marshall claims that he got out of the car in this area to examine the tire and at this time he was struck. The area in question is extremely dark with no artificial lighting and is a far distance removed from the main travelled area of the parkway.

6. Examination of this particular tire by the New Jersey State Police Forensic Specialist indicates the presence of a slash therein which was made at the location the car was found and that the vehicle could not have been driven the distance claimed by Mr. Marshall or even a much shorter distance without extensive rim and outer tire damage.

7. Mrs. Marshall was shot two (2) times in the back and her body still had on it extensive and expensive jewelry. Her pocketbook was not at the scene. Mr. Marshall claimed that approximately \$1800 was taken from his pants pocket after he was rendered unconscious. His wallet containing \$10 and credit cards was found lying along side the car.

8. Subsequent investigation located the pocketbook of the victim Mrs. Marshall at Exit 67 of the Garden State Parkway southbound, which is three (3) miles south of the scene of the homicide. This particular rest area has access to both northbound and southbound lanes. The pocketbook of Mrs. Marshall was intact and contained her wallet with credit cards and in excess of \$100 in cash.

9. My training and experience indicates that there are serious questions raised at this point by Mr. Marshall's report of the events. It makes very little sense for someone who thinks he has a flat tire to pull this far into a dark area to check it. The forensic examination indicates that the tire was in fact slashed at this particular point. My training and experience also raises questions about why the jewelry of the victim was not taken; about why the wallet and credit cards of Mr. Marshall were left at the scene; and about why the pocketbook of Mrs. Marshall was left untouched at the southbound exit. It is also difficult to understand why Mrs. Marshall was shot and Mr. Marshall was just hit over the head.

10. As a result of the above, the police investigation has involved itself with the possible culpability of Mr. Marshall in this homicide. Additionally, investigation has been focused upon the identification of accomplices who would have struck Mr. Marshall on the head and deposited the pocketbook on the parkway southbound. Accomplices were thought to be involved in view of the fact Mr. Marshall proffered the theory that he had been stalked from the casino in Atlantic City by the alleged perpetrators. The pocketbook being located on the southbound exit would tend to corroborate his theory.

11. Investigation of Mr. Marshall's status vis-a-vis his wife at the time of the homicide indicated that he had her insured for a sum in excess of \$1,000,000 (one million dollars). Forensic test of several signatures affixed to some of the insurance policies indicate that they are not hers. The most recent insurance policy was placed on September 6, 1984, the day prior to her death. The broker of this policy indicates that it was "walked through" at the insistence of Mr. Marshall on that date. Another policy was mailed on September 4, 1984, and not received by the broker until September 8, 1984, the day after her death. The signature of Mrs. Marshall affixed to this particular policy has been determined by forensic examination not to be hers.

12. Investigation also indicates that despite Mr. Marshall's statement to investigators that there was no other woman involved in his life, he had in fact been having an affair with one Serann Kraushaar; that his wife had hired a private investigator who had surveilled Marshall and Kraushaar on numerous occasions and observed them on these occasions to be occupants of a room at the Best Western Motel, Route 70, Lakewood, New Jersey. Mrs. Marshall had retained the law firm of O'Malley, Loughran and Surman in regard to this matter.

13. The law firm of O'Malley, Loughran and Surman was contacted by the Ocean County Prosecutor's Office and confirmed that they were advising Maria Marshall on marital problems. An associate stated that the private investigator's firm was hired to follow Mr. Marshall and that Mrs. Marshall was last in on August 23, 1984. At this time, she paid her bill and stated she was going to confront her husband in the near future with the results of the private detective's investigation.

14. Mrs. Serann Kraushaar was interviewed by the investigating

authorities. She stated that she had been having an affair with Robert O. Marshall for the past fourteen (14) months. She confirmed the meetings covered by the private detectives. She said that only a few of her friends know of this relationship and that to her knowledge, Mrs. Marshall had not known. Kraushaar related that on at least two (2) occasions during this 14 months, she and Marshall had planned to leave their spouses and move in together. However, for various reasons, it did not come about. As recently as September 6, 1984, both parties got together in Lacey Township to finalize their break. She indicated that an apartment in Long Beach Township had been rented by them to move into. Serann Kraushaar said that Mr. Marshall complained to her that his wife was spending too much money and was too possessive of him. Marshall also mentioned early in their relationship that his wife was driving him crazy and did she (Kraushaar) know anybody who could take care of his problem. Kraushaar said she knew he meant did she know anybody who could kill his wife. On another occasion, Marshall stated to Kraushaar that his wife's insurance, of which he was the beneficiary, would cover his unpaid mortgage, amounting to \$130,000. This mortgage was the second taken out on his home and is dated May 16, 1984.

15. In an effort to identify accomplices of Mr. Marshall as a suspect in this homicide, law enforcement authorities have made extensive use of court authorized telephone toll checks. A toll check of Mr. Marshall's business telephone at 50 Hadley Avenue, Toms River, N.J. indicated that at 9:59 a.m. on Thursday, September 6, 1984, he received an incoming telephone call from a coin box located at the Airport Motor Inn, Atlantic City, N.J. A toll check

of that particular coin box indicates that it received a call at 10:17 a.m. that date from a coin box located at the 7-11 Store, East Washington Street, Toms River, N.J. This store is approximately 4 minutes from Mr. Marshall's business office. Interview of Mr. Marshall's secretary indicates that he was in the office at the time the 9:59 a.m. telephone call was received and he left right after that ostensibly for the purpose of going to his home for insurance examination of he and his wife.

16. A check of the registration book at the Airport Motor Inn indicates that one James Davis [REDACTED] was registered at that motel on September 6, 1984.

17. A review of other toll records of Mr. Marshall from June 4 to September of this year indicates twenty eight (28) telephone calls placed to Caddo Hardware in Shreveport, Louisiana. Investigation in Shreveport indicates that the recipient of these calls was one Robert A. Cumber, an employee of that store. Investigation also indicated that one James Davis resides in Shreveport and that he is known to local police authorities.

18. On September 20, 1984, representatives of the Ocean County Prosecutor's office, New Jersey State Police and local authorities executed a search warrant at the home of James Davis, [REDACTED] (heretofore the location of this search warrant was erroneously thought to be [REDACTED]) and found the following:

1. Western Union money order receipts in the amount of \$3000, payable to Jimmy Davis, Shreveport, Louisiana, dated June 25, 1984. The receipts indicated the money was sent by James McCalester, [REDACTED] [REDACTED]. This receipt indicates the money order was sent from Toms River, N.J.

2. A memo pad note from Caddo Hardware Store which had contained thereon the name of James McCalester, [REDACTED]
[REDACTED]

19. Investigation on September 21, 1984, at the Western Union office in Toms River, New Jersey indicates the following:

1. On June 13, 1984, a money order in the amount of \$2500 was sent to Jimmy Davis, Shreveport, Louisiana, by Rob Marshall, 50 Hadley Avenue, Toms River, N.J. Personnel at Western Union positively identify the victim's husband as the sender of this money order.

2. A money order in the amount of \$3000 bearing the date of June 25, 1984, sent by James McCalester, [REDACTED]
[REDACTED] to Jimmy Davis, Shreveport, Louisiana.

The print on both money orders is obviously the same. Additionally, a review of Marshall's toll records indicates that on June 25, 1984, at 3:25 p.m., he placed a call to Caddo Hardware, Shreveport, Louisiana.

20. Investigation indicates that the recipient of a Western Union money order must appear in person and identify the sender prior to receiving the money. Cumber admits to investigators that Marshall, having used a different name in the money order of June 25, 1984, called Caddo Hardware and advised Cumber of the new identifiers to be used in collecting the money and that Cumber wrote these on the note pad that investigators obtained while executing the search warrant. Incidentally, 400 Broad Street, Philadelphia, Pennsylvania, is the address of the Philadelphia Inquirer newspaper. Records

at the Western Union office in Shreveport, Louisiana, indicate that the June 25, 1984 money order was received by an individual who identified the sender as James McCalester, [REDACTED] and then crossed out Philadelphia and wrote Toms River.

21. Investigators in Shreveport, Louisiana, have interviewed Robert A. Cumber. Cumber admits knowing Robert O. Marshall and alleges that he met him this year at a graduation party for a child of the Storino family of Toms River, N.J. He further admits that in conversation at the party, Marshall asked him if the store he worked for sold guns. Cumber alleges that after returning to Shreveport, Marshall began calling him about investing in an IRA (Individual Retirement Account). It is interesting to note that the 28 calls placed by Marshall to Cumber at the Caddo Hardware store lasted anywhere from 1 to 4 minutes. Cumber states that Marshall, during the course of one of these calls, asked him if he knew someone who could do an "investigation" in New Jersey. Cumber alleges he told Marshall he would look around Shreveport and see what he could do.

22. Cumber alleges that one day Billy Wayne McKinnon came into the hardware store in Shreveport and that Cumber asked him if he knew anyone who did "investigations". McKinnon, according to Cumber, said he did "investigations". Cumber claims that he put McKinnon in touch with Marshall on the phone at the hardware store and that McKinnon agreed to do the "investigation". Cumber further alleges that McKinnon told Marshall his name was Jimmy Davis.

23. Cumber further alleges that on a later occasion, he received a call from Marshall and was told to have "our friend" go to a specific casino

"name not recalled" in Atlantic City and call him (Marshall) at a specific telephone number. Cumber alleges that he passed this message along and that shortly thereafter, McKinnon came into the Caddo Hardware store and told him "Marshall's a jerk".

24. Investigation in Atlantic City, N.J. reveals that on June 17, 1984, an individual registered at Harrah's Casino using the name James Davis, [REDACTED] Toll checks obtained by court authorization on the telephone of Billy Wayne McKinnon in Shreveport indicate that there was telephone traffic between his home in Shreveport and Harrah's Casino, Atlantic City on June 17 thru 19, 1984. Court authorized toll checks on the telephone in the office of Robert Marshall, Toms River, N.J. also indicate telephone traffic between his office and Harrah's Casino on June 18 and 19, 1984. Robert O. Marshall, on a cassette recording referred to in paragraph 28 below, admits that he met "Billy" in June 1984. Furthermore, a check with Harrah's Casino indicates the existence of a "comp" for a free meal for three individuals in the name of Robert O. Marshall on June 18, 1984.

25. Toll records indicate a telephone call from Marshall to Caddo Hardware on September 5, 1984, for a period of 4 minutes. Cumber alleges that at this time, Marshall asked him where "our friend" was, as he is supposed to come to New Jersey.

26. Cumber also admits that on September 7 or 8, 1984, McKinnon came into the Caddo Hardware store and told him he just came back from New Jersey, the "investigation" was done and I've taken care of everything. "Marshall will be happy with the results." At this time, McKinnon asked Cumber if he could get some newspapers from New Jersey. A court authorized review of tolls from

Cumber's home telephone indicates that on September 11, 1984, a call was placed from Cumber's home to [REDACTED] at 6:21 a.m. and the call lasted six (6) minutes. The aforesaid telephone is in Perth Amboy, N.J. and the subscriber is the brother of Robert Cumber. Interview of Cumber's brother reveals that Cumber was calling him from Louisiana to ask him to send local newspapers to him.

27. Cumber further told investigators that on or about September 13, 1984, Billy Wayne McKinnon came into the store and in discussing the "investigation" in New Jersey, told him "there was a robbery, it was in a dark area of the Parkway, she was shot and he was hit on the head".

28. In an interview on September 21, 1984, Cumber admits that McKinnon came into the hardware store and told him "they got Davis and that stupid fool kept receipts for the money". This obviously referred to the search warrant executed at Davis' home on September 20, 1984, and the Western Union receipts recovered. Cumber also admits that McKinnon told him to keep his mouth shut and don't tell them anything. McKinnon further told him that if they indict you for murder, just go with them and don't talk. It is interesting to note that as of the time of this conversation, no one had been arrested for anything and investigators had not spoken with McKinnon.

29. On September 27, 1984, Robert Marshall checked into Room 16, Best Western Motel, Lakewood, N.J. After being there a while, he left an envelope at the front desk addressed to his brother-in-law in Philadelphia. Written on the back of this envelope was "To be opened in the event of my death". The envelope in question was opened under authorization of a search warrant and found to contain a lengthy cassette recording. While Marshall in

the recording denies involvement in his wife's murder, he does state that he had hired an individual named "Billy" from Louisiana to come to New Jersey and "investigate" his wife; that he wired this individual money in the name of "Davis"; that this individual came to New Jersey in June 1984 and they met in Atlantic City; and that the next time he saw this individual was in Harrah's Casino on September 6, 1984, the night his wife was murdered; and that he gave "Billy" \$800 in the casino that night. Marshall then ventures the opinion that "Billy" ripped him off. It is interesting to note that Marshall, when interviewed by authorities on the day of the murder, never mentioned "Billy" or their meeting in the casino in what had to be just hours before his wife's death. In fact, Marshall has not, to this time, contacted authorities to give any information about this.

30. Returning to the night of the homicide, law enforcement authorities have located two (2) witnesses who have advised them a vehicle exited rapidly from the Oyster Creek Picnic Area, headed southbound, at approximately the time of the homicide.

Based upon all of the above, I have probable cause to believe and do believe that Maria Marshall was murdered as a result of a criminal conspiracy; that Robert A. Cumber, Billy Wayne McKinnon, James Davis and Robert O. Marshall were involved in this criminal conspiracy; and I respectfully request this Court to issue warrants for the arrest of Billy Wayne McKinnon and James Davis for the offense of conspiracy to murder in violation of N.J.S. 2C:5-2. I further respectfully request the Court to authorize the sealing of this

affidavit pending completion of this investigation.

Sterling A. Jones
STERLING A. JONES, DET. SGT.
NEW JERSEY STATE POLICE

Sworn and Subscribed to before me
this 5th day of October, 1984.

Peter M. Minic
JUDGE OF THE SUPERIOR COURT
STATE OF NEW JERSEY
COUNTY OF OCEAN

The Senate of New Jersey
vs.

COURT	
SUPERIOR	
COUNTY OF OCEAN	N. J.
COURT DOCKET NUMBER(S) C-3966	COURT CODE NUMBER

Defendant: ROBERT O. MARSHALL

Address:

City, State: DOVER TOWNSHIP, NEW JERSEY 08753

Defendant one of _____ defendants

Date of birth _____ Date of arrest _____

COMPLAINT

Complainant: DET. JOHN PETRACCA
(NAME OF COMPLAINANT)

of NEW JERSEY STATE POLICE

(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Residing at _____
(ADDRESS OF PRIVATE CITIZEN COMPLAINANT)

Upon oath says that, to the best of (his) (her) knowledge, information and belief, the named defendant on or about the

7th day of September, 19 84, in the Twsp of Lacey MUNICIPAL CODENO. County of Ocean N.J.
did;

purposely or knowingly cause the death of Maria Marshall, contrary to N.J.S. 2C:11-3 and 2C:2-6b.

Charge Number 1 N.J.S. 2C:11-3	Charge Number 2 N.J.S. 2C:2-6b,	Charge Number 3 N.J.S.
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Subscribed and sworn to before me this 11th day of December, 19 84

Signed [Signature]
(NAME AND TITLE OF PERSON ADMINISTERING OATH)

Signed [Signature] (COMPLAINANT)

To any peace officer or other authorized person: Pursuant to this warrant, you are hereby commanded to arrest the named defendant and bring (him) (her) forthwith before the court to answer the foregoing complaint.

Bail has been fixed by John J. Moore JSC in the amount of \$ 2 million or _____ (Specify condition of release, e.g. R.O.R.)

Date Warrant Issued Dec 17, 1987

Court Appearance Date _____ Time _____ (AM) (PM)

SIGNATURE OF JUDGE OR CLERK

DATE OF FIRST APPEARANCE
R.3:4-2

COURT ACTION (Cases wherein judgment or Conditional Discharge is entered in this court)

[illegible]

OTHER ACTION BY THIS COURT

Violent Crimes Penalty. Amt.

DATE	1	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE. PROSECUTOR GIVEN PRIOR NOTICE.	2	DEFENDANT HELD FOR GRAND JURY. ORIGINAL COMPLAINT, RECORD, BAIL TRANSMITTED.	3	NO ACTION BY THIS COURT. COMPLAINT REFERRED TO PROSECUTOR.	INSTITUTION TO WHICH SENTENCED
4	Other (Specify)						

BAIL INFORMATION

BAIL INFORMATION						
DATE	AMOUNT BAIL SET	REL. ON BAIL	R - O - R	COMMITTED DEFAULT	COMMITTED WITHOUT BAIL	PLACE COMMITTED
		1	2	3	4	
SURETY COMPANY — PERSON POSTING BAIL — RELEASED IN CUSTODY OF — ADDRESS						

PROSECUTING ATTORNEY AND DEFENSE COUNSEL INFORMATION

PROSECUTING ATTORNEY AND DEFENSE COUNSEL INFORMATION											
PROSECUTING ATTORNEY	NONE	STATE	COUNTY	MUNICIPAL	OTHER	DEFENSE COUNSEL	NONE	RETAINED	PUBLIC DEFENDER	ASSIGNED	OTHER
	1	2	3	4	5		1	2	3	4	5

AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANT

Robert O. Marshall initially paid him a deposit which totaled \$5,000.00 and

that Marshall eventually paid him a total of approximately \$15,000.00 prior to the murder. It was agreed that an additional payment of \$60,000.00 would be made subsequent to the murder. Investigation into this case has indicated that Maria Marshall was insured for an amount in excess of \$1,000,000.00 and that Robert O. Marshall was the beneficiary thereof.

4. Billy Wayne McKinnon has advised me that he came to New Jersey on September 6, 1984, accompanied by one Larry Thompson from Louisiana. On the day of September 6, 1984, Billy Wayne McKinnon met with Robert O. Marshall and the location where the murder was to take place and the approximate time of the murder was agreed to. The location for the murder was the Oyster Creek Picnic Area on the Garden State Parkway. Billy Wayne McKinnon further advises me that Larry Thompson is the one who actually shot Maria Marshall and hit Robert O. Marshall over the head as per the plan of Robert O. Marshall.

WHEREFORE, I respectfully request this Court to issue complaint warrants for the arrest of Robert O. Marshall and Larry Thompson and to provide that this affidavit be sealed pending the actual arrests in this matter.


JOHN PETRACCA
DETECTIVE, N.J. STATE POLICE

Sworn and Subscribed to before
me this 17th day of December, 1984.


JUDGE OF THE SUPERIOR COURT
OCEAN COUNTY, NEW JERSEY

11
0 J
SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, OCEAN COUNTY

THE STATE OF NEW JERSEY

vs.

ROBERT O. MARSHALL,
LARRY THOMPSON,
BILLY WAYNE McKINNON,
ROBERT A. CUMBER

Defendants

INDICTMENT

No. 26-1-85

THE GRAND JURORS, of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ROBERT O. MARSHALL, LARRY THOMPSON, BILLY WAYNE McKINNON and ROBERT A. CUMBER, between May 24, 1984 and September 22, 1984, in the Townships of Dover and Lacey, in the County of Ocean aforesaid; in Atlantic City, in the County of Atlantic; and in Shreveport, Louisiana, and within the jurisdiction of this Court, did conspire with each other to commit the murder of MARIA MARSHALL, in violation of N.J.S. 2C:11-3a.(1) or (2), and contrary to the provisions of N.J.S. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

THE GRAND JURORS, of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ROBERT A. CUMBER and BILLY WAYNE McKINNON did, on or about September 7, 1984, in the Township of Lacey, County of Ocean aforesaid and within the jurisdiction of this Court, purposely or knowingly cause the death of MARIA MARSHALL, contrary to the provisions of N.J.S. 2C:11-3a.(1) or (2) and N.J.S. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

THE GRAND JURORS, of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ROBERT O. MARSHALL did, on or about September 7, 1984, in the Township of Lacey, in the County of Ocean aforesaid, and within the jurisdiction of this Court, purposely or knowingly cause the death of MARIA MARSHALL as an accomplice by procuring the death of MARIA MARSHALL by payment or promise of payment of a sum of money, contrary to the provisions of N.J.S. 2C:11-3a.(1) or (2) and N.J.S. 2C:2-6, and against the peace of the State, the government and dignity of the same.

COUNT FOUR

THE GRAND JURORS, of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that LARRY THOMPSON did, on or about September 7, 1984, in the Township of Lacey, in the County of Ocean aforesaid, and within the jurisdiction of this Court, purposely or knowingly and by his own conduct cause the death of MARIA MARSHALL, contrary to the provisions of N.J.S. 2C:11-3a.(1) or (2), and against the peace of this State, the government and dignity of the same.

DATED:

Jan 9 1985

Edward J. Turnbach
EDWARD J. TURNBACH
OCEAN COUNTY PROSECUTOR

ENDORSED:

Alfred P. Klim
Foreman

Superior Court of New Jersey
Law Division, Ocean County

THE STATE

VS.

ROBERT O. MARSHALL,
LARRY THOMPSON,
BILLY WAYNE MCKINNON,
ROBERT A. CUMBER

INDICTMENT NO. _____

INDICTMENT FOR

CONSPIRACY TO COMMIT MURDER (ALL);
ACCOMPLICE TO MURDER (CUMBER & MCKINNON);
ACCOMPLICE TO MURDER (MARSHALL); MURDER (THOMPSON).

EDWARD J. TURNBACH
County Prosecutor

A TRUE BILL

Edward J. Turnbach
Forman.

Filed _____

Arraigned _____

Plea _____

Bail _____

Trial Day _____

Verdict _____

Sentence _____