

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# 04072608 – Jack Fuller

Dear Sir/Madam:

Enclosed please find the Complaint Warrant, Indictment, Plea Form 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, affidavit or criminal information 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

POLICE CASE NO.

39569-04

The State of New Jersey
vs.W-2004-001089-1506
PAGE 1 OF 1

COURT (NAME, ADDRESS, TELEPHONE NO.)

BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000

Defendant Name JACK FULLER

Address 14 WESTERN DRIVE

COUNTY OF OCEAN N.J. COURT CODE 1506

City, State HOWELL NJ 07731

SS No

COURT DOCKET NUMBER(S)
1 THRU 1

Date of birth 12-24-1965 Date of arrest 00-00-0000

Number of co-defendants 000

Dr. Lic.#

SBI No.

COMPLAINT -

Complainant Name: JASON SHEPHERD of BRICK TWP POLICE DEPT

(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

MUNICIPAL CODE NO.

1506

County of OCN N.J.

11 day of 07, 2004, in BRICK TWP

did;

WITHIN THE JURISDICTION OF THIS COURT, PURPOSELY OR KNOWINGLY CAUSE THE DEATH
OF B.G. A JUVENILE IN VIOLATION OF 2C:11-3

PROBABLE CAUSE HAS BEEN FOUND FOR THE ISSUANCE OF THIS COMPLAINT.

In Violation Of: ☐ Domestic Violence - Confidential

Charge Number 1		Charge Number		Charge Number	
N.J.S. 2C:11-3	ACSX	N.J.S.	ACSX	N.J.S.	ACSX
Charge Number 1	As Amended	Charge Number	As Amended	Charge Number	As Amended
N.J.S.	ACSX	N.J.S.	ACSX	N.J.S.	ACSX

Subscribed and sworn to before me this 18 day of July 2004

Signed (NAME AND TITLE OF PERSON ADMINISTERING OATH)

Signed (COMPLAINANT)

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 THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY
DATE WARRANT ISSUED IN THE AMOUNT OF \$One Million 00/10 NOT FOUND
COURT APPEARANCE DATE 07/19/2004 TIME 09:00 AM

(SIGNATURE OF JUDICIAL OFFICER)

JSC

FIRST APPEARANCE				COURT ACTION (Where Judgement or Conditional Discharge is Entered)							
				☐ ADVISED OF RIGHTS				METHOD OF SERVICE:			
ARGES	WAIVER (IND. / JURY)	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH.	DATE	COND. DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. IMP.
1											
NUMBER											
NUMBER											
NUMBER											

OTHER COURT ACTION		Total DEDR Penalty Amount:		Total Violent Crimes Assessment Amount:	
DATE	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE	Total Lab Fee	Conditional Disc. Fee	DL. Susp.	Institution to Which Sentenced
DATE	COMPLAINT REFERRED TO PROSECUTOR	Community Service	Restitution		JAIL TIME CREDIT
Domestic Violence: ☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM		Other (specify)			
ESTRAINTS (SPECIFY) ☐ NO POSSESSION FIREARMS / WEAPONS					

(FTA OR BAIL) INFORMATION					☐ BAIL FORM ATTACHED	
ATE	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	NONE	STATE	COUNTY	MUNICIPAL	OTHER	DEFENSE COUNSEL	NONE	RETAINED	PUBLIC DEFENDER
	1	2	3	4	5		1	2	3

MISCELLANEOUS INFORMATION									
it Companion CDR numbers (Including Co-defendants).									

JUDGE

DATE

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY

RECEIVED & FILED

FEB 9 2005

DEPUTY CLERK
SUPERIOR CT. OCEAN CO.

STATE OF NEW JERSEY :

VS. :

JACK FULLER :

DEFENDANT :

INDICTMENT NO.

105-02-240

COUNT ONE

MURDER - FIRST DEGREE

The Grand Jurors of the State of New Jersey, for the County of Ocean, upon their oaths present that **JACK FULLER**, on or about July 11, 2004, in the Township of Brick, Township of Lakewood, County of Ocean, Township of Howell, County of Monmouth, or elsewhere, within the jurisdiction of this Court purposely or knowingly did cause the death of **B [REDACTED] G [REDACTED]** contrary to the provisions of N.J.S.A. 2C:11-3a(1) or (2), and against the peace of this State, the Government and dignity of the same.

Dated:

2/9/05

THOMAS F. KELAHER
OCEAN COUNTY PROSECUTOR

BY:

Ronald F. Deligny
RONALD F. DELIGNY
EXEC. ASSISTANT PROSECUTOR

[Signature]

FOREMAN

Superior Court of New Jersey
Law Division, Ocean County

THE STATE
VS.

JACK FULLER

INDICTMENT NO. 105-02-240

INDICTMENT FOR

Thomas F. Kelaher
County Prosecutor

A TRUE BILL

For s/h
Foreman.

Filed

Arraigned

Plea

Bail

Trial Day

Verdict

Sentence

Pres. 149

Case: 04-07-2698
Cand. Reporter: Gail
Cutter

\$4,000.00 and 10% in jail

PLEA FORM

County OCEAN

Prosecutor File Number _____

DEFENDANT'S NAME

TALL FOLK

before Judge

COLEMAN

1. List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree		Statutory Maximum		
					Time	Fine	VCCB Assmt*
0502010	1	MURDER	1 st	MAX	LIFE	200,000	100
		ARMED & DANGEROUS		MAX			
		RECKLESS ENDANGERMENT		MAX			
		IN DEATH		MAX			
				MAX			
				MAX			
Your total exposure as the result of this plea is:				TOTAL	LIFE	200,000	100

PLEASE CIRCLE
APPROPRIATE ANSWER

2. a. Did you commit the offense(s) to which you are pleading guilty? ☒ [YES] ☐ [NO]
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☒ [YES] ☐ [NO]
3. Do you understand what the charges mean? ☒ [YES] ☐ [NO]
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☒ [YES] ☐ [NO]
- b. The right to remain silent? ☒ [YES] ☐ [NO]
- c. The right to confront the witnesses against you? ☒ [YES] ☐ [NO]
5. Do you understand that if you plead guilty:
- a. You will have a criminal record? ☒ [YES] ☐ [NO]
- b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum Violent Crimes Compensation Board Assessment? ☒ [YES] ☐ [NO]
- c. You must pay a minimum Violent Crimes Compensation Board assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.) ☒ [YES] ☐ [NO]
- d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made? ☒ [YES] ☐ [NO]

* VIOLENT CRIMES COMPENSATION BOARD ASSESSMENT

Defendant's Initials

5. e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction? [YES] [NO]
- f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation? [YES] [NO]
- g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30? [YES] [NO]
- h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing? [YES] [NO]
6. Do you understand that the court could, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? [YES] [NO]
7. Did you enter a plea of guilty to any charges that require a mandatory period of parole ineligibility or a mandatory extended term? [YES] [NO]
- a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is 30 years and 0 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 30 years and 0 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.
8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? [YES] [NO]
9. Are you presently on probation or parole? [YES] [NO]
- a. Do you realize that a guilty plea may result in a violation of your probation or parole? [YES] [NO] [N/A]
10. Are you presently serving a custodial sentence on another charge? [YES] [NO]
- a. Do you understand that a guilty plea may affect your parole eligibility? [YES] [NO] [N/A]
11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? [YES] [NO] [N/A]

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

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
_____	_____	_____
_____	_____	_____
_____	_____	_____

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

30 yrs NTSP w/ 30 yr STIP. 30/30

Defendant's Initials

JH

14. Has the prosecutor promised that he or she will NOT:

a. Speak at sentencing?

[YES] [NO]

b. Seek an extended term of confinement?

[YES] [NO]

c. Seek a stipulation of parole ineligibility?

[YES] [NO]

[YES] [NO]

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

[YES]

[NO]

[N/A]

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

[YES]

[NO]

[N/A]

17. Do you understand that if you are not a United States citizen or national, you may be deported by virtue of your plea of guilty?

[YES]

[NO]

[N/A]

18. Have you discussed with your attorney the legal doctrine of merger?

[YES]

[NO]

[N/A]

19. Are you giving up your right at sentence to argue that there are charges you pleaded guilty to for which you cannot be given a separate sentence?

[YES]

[NO]

[N/A]

20. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

Prison
TO
SUNTHAL
PERSONAL PHOTOS
DRIVERS LICENSE
REGISTRATION
BIRTH CERT.
CAR TO BE REPAIRED
PHOTOS FROM HOME (MARJANAL)
BOX OF PHOTOS
CAR TRUNK RETURNED

21. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty?

[YES]

[NO]

22. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence?

[YES]

[NO]

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea?

[YES]

[NO]

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial?

[YES]

[NO]

23. Are you satisfied with the advice you have received from your lawyer?

[YES]

[NO]

24. Do you have any questions concerning this plea?

[YES]

[NO]

DATE 10/18/05 DEFENDANT

DEFENSE ATTORNEY

PROSECUTOR

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.

Supplemental Plea Form for No Early Release Act (NERA) Cases
(N.J.S.A. 2C: 43-7.2)

The following questions need to be answered only if you are pleading guilty to one of the following first or second crimes that occurred on or after June 29, 2001:

murder, aggravated manslaughter or manslaughter, vehicular homicide, aggravated assault, disarming a law enforcement officer, kidnapping, aggravated sexual assault, sexual assault, robbery, carjacking, aggravated arson by placing another person in danger of death or serious bodily injury, burglary, theft by extortion by obtaining property of another by threatening to inflict bodily injury on, or physically confine or restrain anyone or commit another offense, booby traps in manufacturing or distributing of CDS facilities or strict liability for drug induced deaths.

1. Do you understand that because of your plea of guilty to

MURDER

(LIST FIRST OR SECOND DEGREE CRIME(S) TO WHICH NERA APPLIES)

you will be required to serve 85% of the sentence imposed for that offense(s) before you will be eligible for parole on that offense(s)? [YES] [NO]

2. Do you understand that because you have pled guilty to these charges the court must impose a ~~30~~ year term of parole 5 supervision and that term will begin as soon as you complete the sentence of incarceration?

[YES] [NO]

First Degree Term of Parole Supervision - 5 years

Second Degree Term of Parole Supervision - 3 years

3. Do you understand that if you violate the conditions of your parole supervision that your parole may be revoked and you may be subject to return to prison to serve all or any portion of the remaining period of parole supervision, even if you have completed serving the term of imprisonment previously imposed?

[YES] [NO]

DATE: 10/18/05

DEFENDANT: Joe Fel

DEFENSE ATTORNEY:

JOHN O. BOIAN

PROSECUTOR:

Donald W. Dugan

Deligny

STATE OF NEW JERSEY 04072608-001
V.

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

JACK FULLER

XX JUDGMENT OF CONVICTION

DATE OF BIRTH 12-24-1965 S.B.I.# 252489B
DATE OF ARREST 07-18-2004 DATE IND/ACCUSATION FILED 02-09-2005
DATE OF THE ORIGINAL PLEA WAS
ORIGINAL PLEA 03-04-2005 XX NOT GUILTY GUILTY

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

ADJUDICATION BY XX GUILTY PLEA DATE 10-18-2005 NON-JURY TRIAL DATE
JURY TRIAL DATE DISM/ACQUITTED DATE

ORIGINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE
001	MURDER - PURPOSELY	1	2C:11-3A(1)

FINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE
001	MURDER - PURPOSELY	1	2C:11-3A(1)

IT IS THEREFORE, ON JANUARY 13 2006 ORDERED AND ADJUDGED THAT THE DEFENDANT IS SENTENCED AS FOLLOWS:

Defendant, on Count 1 of Indictment #05-02-00240, is sentenced to a term of 30 years in the custody of the Commissioner of the Department of Corrections, with a 30-year period of parole ineligibility and with credit for time served of 544 days. Defendant is to pay restitution in the sum of \$7,400.00 to the Victims of Crimes Compensation Board.

The defendant is hereby ordered to provide a DNA sample and to pay the costs for testing the sample provided.

VCCB - \$100.00; SNSF - \$75.00; LEOTEF \$30.00; payable through the D.O.C.

BAIL DISCHARGED.

() 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

544 days 7/18/04 - 1/12/06

TOTAL DAYS DATES (FROM/TO) DATES (FROM/TO)

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

TOT. CUSTODIAL TERM 30 years INSTITUTION D.O.C. TOTAL DAYS DATES(FROM/TO)
TOT. PROBATION

TOTAL FINE \$ _____ 1) A MANDATORY DEDR PENALTY IS IMPOSED
TOTAL RESTITUTION \$ 7,400.00 _____ 1ST DEGREE @ \$3000 _____ 4TH DEGREE @ \$750
_____ 2ND DEGREE @ \$2000 _____ DISORDERLY PERSONS @ \$500
_____ 3RD DEGREE @ \$1000
IF THE OFFENSE OCCURRED/AFTER _____ TOTAL DEDR PENALTY \$ _____
12/23/1991 AN ASSESSMENT OF \$50 IS _____
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) 1 DRIVERS LICENSE # _____
IS \$ 100.00 EACH.
TOTAL VCCD ASSESSMENT \$ 100.00 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 _____

SNSF \$75.00; LEOTEF \$30.00

NAME OF FORM PREPARER

TELEPHONE #

NAME (ATTORNEY)

BMM

732-929-4792

JOHN O GOINS ESQ.

REASONS

AGGRAVATING FACTORS: 1, 3, 6 and 9

MITIGATING FACTORS: None

This was a plea agreement between the prosecutor and the defendant. In deciding whether or not to accept the plea agreement, the court considered the nature and degree of the crime, the need for punishment and deterrence, the defendant's prospects for rehabilitation, the pre-sentence report, the defendant's previous involvement in the criminal justice system, the recommendation of the prosecutor and the probation department, the terms of the plea agreement and the interest of the public. The plea agreement appears to be fair, and in the interest of justice, and the court sentences the defendant as is set forth in this judgment.

Aggravating factors 1, 3, 6 and 9 apply. There are no mitigating factors. The court is clearly convinced that the aggravating factors substantially outweigh the mitigating factors.

Purpose of sentence: deterrence and rehabilitation.

JUDGE (NAME)

JUDGE (SIGNATURE)

January 13, 2006

DATE

VINCENT J GRASSO, J.S.C.