

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

January 22, 2021

Michael Wilusz

Via OPRA Machine: opra+request-19452-cc9e7acb@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 07041221

Dear Mr. Wilusz:

Enclosed please find the Complaint Warrants, Affidavit, Arrest Report, Indictment and Order of Dismissal pursuant to your request made under the New Jersey Open Public Records Act (OPRA).

There are no responsive documents pursuant to your request for global subject activity reports, preliminary law enforcement incident reports, criminal information forms, plea forms, death investigation and sentencing information.

Please be advised that your request for "taped interviews" (defendant's statement) is denied. Those records are considered criminal investigatory records, and as such, they are exempt from disclosure under OPRA, pursuant to N.J.S.A. 47:1A-1.1, et seq.

Should you disagree with our decision, please contact us in writing with your concerns so that we may consider them. 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

Prestia , Donna

From: Khajezadeh, Dina
Sent: Wednesday, January 6, 2021 7:58 PM
To: Prestia , Donna
Subject: FW: OPRA request - Case Request

file req. 117
@

Sent from my Verizon, Samsung Galaxy smartphone

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

From: michael wilusz <opra+request-19452-cc9e7acb@requests.opramachine.com>
Date: 1/6/21 7:41 PM (GMT-05:00)
To: "Khajezadeh, Dina" <DKhajezadeh@co.ocean.nj.us>
Subject: OPRA request - Case Request

Dear Ocean County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

1. Any relevant arrest reports, global subject activity reports, preliminary law enforcement incident reports, taped interviews, complaint warrants, complaint summonses, affidavits, indictments, criminal information forms, plea forms, death investigation and sentencing information, where applicable, for the following defendants:

Ernest Clayton Timmons
Offense Date: 03/30/2007 08:47 PM
Case: W 2007 17
Police Case No: 070300290

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-19452-cc9e7acb@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://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E.1.2bNXQSQAmoo3yM3WlRfztnj651gLzMUd8TQCOBpMUsrNSWgCoayAPE1ilqiqVrYAicYnU5XgHanpb0g85KJGXL9FkwF2ZA3KNuAQEtXsARUtl7P6sEMwfczoztg.&typo=1

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

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E.1.N8Sra7jEgQ8s4-dxN9n9-EjfqKoX9a68JqFQ8k7MqW_6jvIakLTDi4ShLcYJNtGBY5DrVmqi7DdAXzFF-RWv4WvTrEyrvY6iZflth3POoY.&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2fcase_request&c=E.1.kUSI7H6cUB86uKjTHNlaxknO97wDApr5wH7srIaoNl9hkFE0BHmb5hAagNhM-



OCEAN COUNTY PROSECUTOR'S OFFICE

Arrest Report

Identification Number

03RC3

Identification Number

784554D

1. Department OCPO CCU	2. Mun. Code 1589	3. Phone Number (732) - 929 - 2027	4. UCR	5. Prosecutor's Case Number 070300290	6. Dept. Case Number				
7. Name (First) Ernest	(Middle) C.	(Last) Timmons	8. Phone No. (Area)	9. Alias/Nickname JOKETER34					
10. Address	10a. (Street)	10b. Municipality	10c. State	10d. Zip	11. Place of Birth (City / State) California				
12. Date of Birth	13. Age 32	14. Sex Male	15. Race White	16. Ht 5' 10"	17. Wt 170	18. Hair Brown	19. Eyes Blue	20. Complexion	21. Marital Status Married
22. Other Description Information - Marks - Scars - Tattoos						23. Driver's License Number			
24. Employee/School McChord Air Force Base				25. Occupation Sergeant		26. Social Security Number			
27. Employer's / School Address USAF McChord Airforce Base, Washington State						28. Business Phone (Area) (Extension) () - ()			

DETAILS OF ARREST

29. Arrest Date 3 / 30 / 2007	30. Time 900 ☐ AM ☒ PM	31. Loc. Of Arrest (No. - Street) 1021 Lyman Street	31a. Municipality Mantoloking	31b. State NJ	32. Muni. Code 1519			
33. Crime Attempted Sexual Assault / Luring			33A. Total Crimes 5	34. NJ Statute 2C:5-1A(1) / 2C:14-2(C)	35. Warrant/Summons Number W2007-000017-1519			
36. Complainant's Name and Address-Zip Code Detective David P. Anderson, Jr. - 119 Hooper Avenue, P.O. Box 2191, Toms River, NJ 08753								
37. Phone Number (Area) (732) - 929 - 2027								
38. Crime Date 3 / 30 / 2007	39. Time ☐ AM ☐ PM	40. Loc. Of Arrest (No. - Street) 1021 Lyman Street	40a. Municipality Mantoloking	40b. State NJ	41. Muni. Code 1519			
42. Arrest ☒ On View ☐ Warrant ☐ Summons ☐ W/O Warrant ☐ Juv. ☐ R.A.		43. Juv. Code	44. Constitutional Rights ☒ Yes ☐ No	45. Constitutional Rights - by Inv. Jason Steele	46. How Responded Understood / Waived			
47. Own	48. Multiple	49. Other	50. Fingerprinted ☒ Yes ☐ No	51. Photographed ☒ Yes ☐ No	52. NCIC ☒ Yes ☐ No ☐ Wanted ☐ No Record	53. Previous Record ☐ Yes ☐ No		
54. Vehicle Information ☐ Owned ☒ Used		Year 2007	Make Chevy	Body Type Impala	Color Red	Reg. State and Number [REDACTED]	Other Descriptive Information - VIN 2G1WU58R879214743	

BAIL HEARING

55. Date 3 / 30 / 2007	56. Court Ocean County Superior Court		57. Judge Setting Bail Barbara A. Villano, JSC	
58. Amount of Bail \$100,000.00	59. Results of Hearing ☐ R.O.R. ☐ Committed in Default ☐ Committed W/O Bail ☐ Released on Bail		60. Code	61. Place Committed / Detained

JUVENILE INFORMATION

62. Parent / Guardian - Contacted By		63. Date Contacted / /	64. Time Contacted ☐ AM ☐ PM	65. Released w/Detained at	
66. Full Address - Number - Street - Municipality - State - Zip Code			67. Phone Number (Area) () - -	68. Date / /	69. Time ☐ AM ☐ PM
70. Parent / Guardian's Name (First) (Middle) (Last)		71. Full Address - Number - Street - Municipality - state - Zip Code			72. Phone No. () - -
73. Co-Defendants / Names /					

NARRATIVE

74. Narrative / Additional Charges

Suspect was arrested as a result of an online operation where he travelled to Ocean County in anticipation of meeting a thirteen year old female for the purpose of engaging in an act of sexual penetration.

75. Rank / Name (Print or Type) Detective David P. Anderson, Jr.	76. Badge No. 108	77. Status ☒ Pending ☐ Completed	78. Date of Report 3 / 30 / 2007	79. Reviewed By
---	----------------------	--	-------------------------------------	-----------------

ERNEST C TIMMONS

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

DATE OF BIRTH 06/29/1974 S.B.I.# 784554B
DATE OF ARREST DATE IND/ACCUSATION FILED 08/08/2007 XX
DATE OF THE ORIGINAL PLEA WAS
ORIGINAL PLEA NOT GUILTY GUILTY

ADJUDICATION BY GUILTY PLEA DATE NON-JURY TRIAL DATE
JURY TRIAL DATE XX DISM/ACQUITTED DATE: 10/31/2007

ORIGINAL CHARGES ON IND 07-08-01272-1

COUNT(S)	DESCRIPTION	DEGREE	STATUTE
001, 003	CRIMINAL ATTEMPT		2 2C:5-1
002	ATTEMPT TO LURE OR ENTICE A MINOR INTO M.V.		2 2C:13-6

ATTEMP END WELFARE CHILD PHOTO

FINAL CHARGES

COUNT(S)	DESCRIPTION	DEGREE	STATUTE
----------	-------------	--------	---------

SAME AS ABOVE

IT IS THEREFORE ON 10/31/2007 ORDERED AND ADJUDGED THAT THE DEFENDANT IS DISMISSED ON THIS CASE:

DISMISSED

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

() DEFENDANT RECEIVES CREDIT FOR TIME SPENT IN CUSTODY

TOTAL DAYS: _____

() DEFENDANT RECEIVES GAP TIME CREDIT FOR TIME SPENT IN CUSTODY

TOTAL DAYS: _____

TOT. CUSTODIAL TERM _____ INSTITUTION: _____ TOT. PROBATION: _____

JAMES DEN UYL, J.S.C.

10/31/2007

JUDGE (NAME)

JUDGE(SIGNATURE)

DATE

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-OCEAN COUNTY**

THE STATE OF NEW JERSEY

VS.

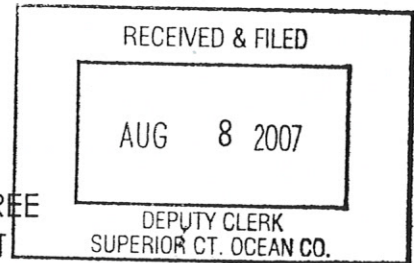
ERNEST C. TIMMONS

Defendant :

INDICTMENT

NO. 07-08-1272

COUNT ONE – SECOND DEGREE
ATTEMPTED SEXUAL ASSAULT



The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ERNEST C. TIMMONS, on or about March 30, 2007, in the Borough of Mantoloking, in the County of Ocean, and within the jurisdiction of this Court, knowingly did attempt to commit an act of sexual penetration upon an individual whom he believed to be at least 13 but less than 16 years old, and ERNEST C. TIMMONS was at least 4 years older than said individual, to wit: after chatting with an individual online over the Internet who he believed to be at least 13 but less than 16 years old, did arrive at a pre-determined location at a pre-determined time in order to commit an act of sexual penetration upon that individual, contrary to the provisions of N.J.S.A. 2C:14-2c(4) and N.J.S.A. 2C:5-1, and against the peace of this State, the Government and dignity of the same.

COUNT TWO – SECOND DEGREE
LURING, ENTICING CHILD BY VARIOUS MEANS

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ERNEST C. TIMMONS, on or about March 30, 2007, in the Borough of Mantoloking, in the

County of Ocean, and within the jurisdiction of this Court, did attempt, via electronic or any other means, to lure or entice a child or one who he reasonably believed to be a child into a motor vehicle, structure or isolated area, or to meet or appear at any other place, with a purpose to commit a criminal offense with or against the child, to wit: did arrive at a pre-determined location at a pre-determined time with the purpose to commit an act of sexual penetration upon an individual whom he believed to be a child at least 13 but less than 16 years old, contrary to the provisions of N.J.S.A. 2C:13-6, and against the peace of this State, the Government and dignity of the same.

COUNT THREE – SECOND DEGREE
ATTEMPTED PHOTOGRAPHY OF A CHILD IN A PROHIBITED SEXUAL ACT

The Grand Jurors of the State of New Jersey, in and for the County of Ocean, upon their oaths PRESENT that ERNEST C. TIMMONS, on or about March 30, 2007, in the Borough of Mantoloking, in the County of Ocean, and within the jurisdiction of this Court, did attempt to photograph or film a child in a prohibited sexual act or in the simulation of such an act, to wit: after chatting with an individual online over the Internet who he believed to be at least 13 but less than 16 years old, did arrive at a pre-determined location at a pre-determined time with a digital camera in order to photograph who he believed to be that individual, a child at least 13 but less than 16 years old, engaged in sexual relations, contrary to the provisions of N.J.S.A. 2C:24-4(b)(4) and N.J.S.A. 2C:5-1, and against the peace of this State, the Government and dignity of the same.

MARLENE LYNCH FORD
OCEAN COUNTY PROSECUTOR

DATED: 8/8/07 By: Madelin F. Einbinder
MADELIN F. EINBINDER

ENDORSED: Bertalan M. Amato
Foreperson

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1519	W	2007	000017
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
MANTOLOKING MUNICIPAL COURT P.O. BOX 247 MANTOLOKING NJ 08738 (732) 899-6604 COUNTY OF: OCEAN			
# of CHARGES 2	CO-DEFTS	POLICE CASE #: 070300290	
COMPLAINANT NAME: DAVID ANDERSON 119 HOOPER AVE TOMS RIVER NJ 08754			
THE STATE OF NEW JERSEY VS. ERNEST C TIMMONS ADDRESS: 13TH AVENUE SOUTH SPANAWAY WA 98387			
DEFENDANT INFORMATION SEX: M EYE COLOR: BLUE DOB: 06-29-1974 DRIVER'S LIC. #: SOCIAL SECURITY #: DL STATE: TELEPHONE #: SBI #:			

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 03-30-2007 in MANTOLOKING BORO, OCEAN County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT TO COMMIT AN ACT OF SEXUAL PENETRATION WITH AN INDIVIDUAL WHOM HE BELIEVED TO BE A THIRTEEN (13) YEAR OLD FEMALE, BY ARRIVING AT A PRE-DETERMINED LOCATION AT A PRE-DETERMINED TIME IN ORDER TO COMMIT AN ACT OF SEXUAL PENETRATION, DEFENDANT BEING AT LEAST FOUR YEARS OLDER THAN THE VICTIM.

WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT, VIA ELECTRONIC OR OTHER MEANS, TO LURE OR ENTICE A CHILD OR ONE WHOM HE REASONABLY BELIEVED TO BE A CHILD INTO A MOTOR VEHICLE, STRUCTURE OR ISOLATED AREA, OR TO MEET OR APPEAR AT ANY OTHER PLACE, WITH A PURPOSE TO COMMIT A CRIMINAL OFFENSE WITH OR AGAINST THE CHILD.

CONDITION OF BAIL - NO INTERNET ACCESS

in violation of:

Original Charge	1) 2C:5-1A(1) 2C:14-2(C)(3)	2) 2C:13-6	3)
Amended Charge			

OATH:

Subscribed and sworn to me this 31 day of Mar, yr 2007

Signed: (Signature of Complaining Witness)

Signed: (Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE TIME DATE OF ARREST 00-00-0000

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.

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: 50,000.00 /FULL by: Hon BA Villano PJCRP
(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

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER**1519****W****2007****000017**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**ERNEST C TIMMONS****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:5-1A(1)**
2C:14-2(C)(3)2) **2C:13-6**

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

JUDGE'S SIGNATURE _____

DATE _____

ORIGINAL – Court Action

Page 2 of 7

NJ/CDR2 8/1/2005

COMPLAINT - WARRANT

COMPLAINT NUMBER

1519**W****2007****000018**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY**VS.****ERNEST C TIMMONS****MANTOLOKING MUNICIPAL COURT****P.O. BOX 247****MANTOLOKING****NJ 08738****(732) 899-6604** COUNTY OF: **OCEAN**

ADDRESS:

13TH AVENUE SOUTH**SPANAWAY****WA 98387**

of CHARGES

1

CO-DEFTS

POLICE CASE #:

COMPLAINANT **DAVID ANDERSON**NAME: **119 HOOPER AVE****TOMS RIVER****NJ 08754**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BLUE**DOB: **06-29-1974**

DRIVER'S LIC. #:

DL STATE:

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

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 **03-30-2007** in **MANTOLOKING BORO**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID ATTEMPT TO PHOTOGRAPH OR FILM A CHILD IN A PROHIBITED SEXUAL ACT OR IN THE SIMULATION OF SUCH AN ACT SPECIFICALLY BY SHOWING UP AT A PRE-DETERMINED LOCATION AT A PRE-DETERMINED TIME WITH DIGITAL PHOTOGRAPHY EQUIPMENT TO PHOTOGRAPH WHOM HE BELIEVED TO BE A THIRTEEN (13) YEAR OLD FEMALE ENGAGED IN SEXUAL RELATIONS.

CONDITION OF BAIL - NO INTERNET ACCESS

in violation of:

Original Charge

1) **2C:5-1A(1)**
2C:24-4B(4)

2)

3)

Amended Charge

OATH:Subscribed and sworn to me this 31 day of Mar, yr 2007Signed: [Signature]

(Signature of Complaining Witness)

Signed: [Signature]

(Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE

TIME

DATE OF ARREST **00-00-0000****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.

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: **50,000.00 / FULL** by: Hon BA Villano PJGP

(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

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER**1519****W****2007****000018**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**ERNEST C TIMMONS****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:5-1A(1)**
2C:24-4B(4)

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
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- 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

ORIGINAL – Court Action

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR2 8/1/2005

**COUNTY OF OCEAN
STATE OF NEW JERSEY**

**STATE OF NEW JERSEY
VS.
ERNEST C. TIMMONS**

**) AFFIDAVIT
) IN SUPPORT OF
) ARREST**

**STATE OF NEW JERSEY
COUNTY OF OCEAN**

**)
SS.
)**

I, Detective David P. Anderson, Jr., of the Ocean County Sheriff's Department, currently assigned to the Ocean County Prosecutor's Office, Computer Crime Unit, being of full age and having been sworn to law upon our oath depose and says:

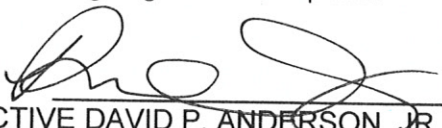
1. I am Detective with the Ocean County Sheriff's Department, currently assigned to the Ocean County Prosecutor's Office, Computer Crime Unit
2. In the course of my duties, I have had occasion to investigate the criminal offenses of Attempted Sexual Assault, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2(c)(3), Luring, N.J.S.A. 2C:13-6 and Attempted Production of Child Pornography, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:24-4b(4)
3. I have probable cause to believe and do believe that Ernest C. Timmons committed the acts of Attempted Sexual Assault, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:14-2(c)(3), Luring, N.J.S.A. 2C:13-6 and Attempted Production of Child Pornography, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:24-4b(4)
4. The basis of my probable cause is as follows:
 - a. On March 30, 2007, this suspect, utilizing the Yahoo screenname "joketer34" contacted members of the organization known as Perverted-Justice, who were posing as a thirteen (13) year old female.
 - i. Perverted-Justice.com recruits volunteer contributors who pose as underage children in chatrooms. Posing from a variety of ages (standard ages are 10-15), these contributors simply go into chatrooms with fake online screen names and wait for predators to instigate conversation with them.
 - ii. Perverted-Justice has been working with the Ocean County Prosecutor's Office Computer Crime Unit in a joint 'sting' operation to target and arrest online sexual predators in and around the Ocean County area.
 - iii. Though Perverted-Justice is acting as the online undercover decoys, all cases brought to Ocean County have been reviewed and approved by the Ocean County Prosecutor's Office.
 - b. During the course of the initial online conversation, the suspect was advised the undercover was thirteen (13) years of age. The suspect

identified himself as thirty (30) years of age. The suspect continued to chat with the undercover. During this conversation, the suspect stated that he wished to meet the undercover for sex.

- c. On March 30, 2007, the suspect arrived at a predetermined meeting place. The suspect was arrested and identified as:

i. ERNEST C. TIMMONS, DOB [REDACTED] SS# [REDACTED]

- d. The suspect was subsequently interviewed by Investigator Jason Steele and Investigator Carlos Trujillo-Tovar of the Ocean County Prosecutor's Office. The interview was memorialized in the form of audio and video tape. The suspect was advised of his Miranda Rights and agreed to speak with the officers without an attorney present. The suspect acknowledged that he is the sole user of the screen name "joketer34" and that he was the individual responsible for the chats with the undercover. Additionally, the suspect stated that, if he had met a thirteen (13) year old female at the meet location, he would have engaged in a sexual act with that individual.
5. The suspect has made statements to implicate himself in this matter.
6. This arrest was not the result of a 9-1-1 call for help. Therefore, no 9-1-1 calls for help were preserved for evidence.
7. I am signing charges of the second degree or greater. Supervising Assistant Prosecutor Madelin Einbinder has approved the signing of this complaint.


DETECTIVE DAVID P. ANDERSON, JR.
Ocean County Sheriff's Department
OCPO, Computer Crime Unit

Sworn and Subscribed before me

this 30 th day of March, 2007


Municipal Court Administrator