

COMPLAINT - WARRANT

COMPLAINT NUMBER			
1303	W	2020	001075
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
ASBURY PARK MUNICIPAL COURT ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712-0000 732-775-1765 COUNTY OF: MONMOUTH			
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 20AP19761	
COMPLAINANT NAME: DILLON J GOURLEY ONE MUNICIPAL PLAZA ATTN RECORD BUREAU ASBURY PARK NJ 07712		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: [REDACTED] DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 106193E TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

THE STATE OF NEW JERSEY

VS.

DAVID O WHITTAKER

ADDRESS: 114 UNION AVE 3G

ASBURY PARK

NJ 07712-0000

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 08/29/2020 in ASBURY PARK CITY, MONMOUTH County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY AND PURPOSELY POSSES A WEAPON FOR AN UNLAWFUL PURPOSE SPECIFICALLY A BLACK HANDLE BUTCHER STYLE KNIFE WHILE COMMUTING THE ACT OF ATTEMPTED MURDER.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY AND PURPOSELY COMMIT THE ACT OF CERTAIN PERSON SNOT TO POSSES A WEAPON SPECIFICALLY BY USING A KNIFE TO COMMIT THE ACT OF ATTEMPTED MURDER BY SLASHING AND CUTTING [REDACTED] THROAT DURING THE COURSE OF A DISPUTE.

WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY AND PURPOSELY ATTEMPT TO KILL [REDACTED] DURING THE COURSE OF A DISPUTE, SPECIFICALLY BY SLASHING AND CUTTING HER THROAT WITH A KNIFE CAUSING SERIOUS BODILY INJURY.

in violation of:

Original Charge	1) 2C:39-4D	2) 2C:39-7A	3) 2C:5-1A(1) 2C:11-3A(1)
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: DILLON J GOURLEY

Date: 08/30/2020

You will be notified of your Central First Appearance/CJP date to be held at the Superior Court in the county of MONMOUTH at the following address: MONMOUTH COUNTY COURTS

71 MONUMENT PARK PO BOX 1271

Date of Arrest: 08/29/2020 Appearance Date:

Time:

FREEHOLD NJ 07728-0000
Phone: 732-358-8700

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. ANGELICA PELLOT JUDICIAL OFFICER 08/30/2020
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

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER

1303**W****2020****001075****STATE V.****DAVID O WHITTAKER**

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:39-4D

2) 2C:39-7A

3) 2C:5-1A(1)
2C:11-3A(1)

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:

DEDL/Lab Fee

DEDL:

LAB:

DEDL:

LAB:

DEDL:

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 _____

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NJ/CDR2 1/1/2017

Affidavit of Probable Cause

COMPLAINT NUMBER

1303**W****2020****001075**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

ASBURY PARK MUNICIPAL COURT
ONE MUNICIPAL PLAZA
ASBURY PARK NJ 07712-0000
732-775-1765 COUNTY OF: MONMOUTH

of CHARGES
3

CO-DEFTS

POLICE CASE #:
20AP19761

COMPLAINANT DILLON J GOURLEY
NAME: ONE MUNICIPAL PLAZA
ATTN RECORD BUREAU
ASBURY PARK NJ 07712

*THE STATE OF NEW JERSEY**VS.*

DAVID O WHITTAKER

ADDRESS:

114 UNION AVE 3G

ASBURY PARK

NJ 07712-0000

DEFENDANT INFORMATION

SEX: M EYE COLOR: BROWN

DOB: [REDACTED]

DRIVER'S LIC. #: [REDACTED]

DL STATE: NJ

SOCIAL SECURITY #: [REDACTED] SBI #: 106193E

TELEPHONE #: ()

LIVESCAN PCN #: [REDACTED]

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

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

THE VICTIM WAS ASSAULTED [REDACTED] WHO DURING THE COURSE OF THE ASSAULT, TOOK A BUTCHER STYLE KITCHEN KNIFE AND GRABBED THE VICTIM BY THE BACK OF [REDACTED] HEAD AS HE STOOD OVER [REDACTED] AND SLASHED [REDACTED] THROAT [REDACTED]. [REDACTED].

Affidavit of Probable Cause

Affidavit of Probable Cause

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THE STATE OF NEW JERSEY

VS.

DAVID O WHITTAKER

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

TWO EYEWITNESS STATEMENTS [REDACTED].

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

THE VICTIMS THROAT WAS SLASHED [REDACTED]
[REDACTED]

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: DILLON J GOURLEY LAW ENFORCEMENT OFFICER

Date: 08/29/2020

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> VS. DAVID O WHITTAKER ADDRESS: 114 UNION AVE 3G ASBURY PARK NJ 07712-0000	
1303	W	2020	001075		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
ASBURY PARK MUNICIPAL COURT ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712-0000 732-775-1765 COUNTY OF: MONMOUTH					
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 20AP19761		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: [REDACTED] DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: 106193E TELEPHONE #: [REDACTED] () LIVESCAN PCN #: [REDACTED]	
COMPLAINANT DILLON J GOURLEY NAME: ONE MUNICIPAL PLAZA ATTN RECORD BUREAU ASBURY PARK NJ 07712					

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 Involved domestic violence.
 - DVCR was checked.
- A weapon was used against this victim, or was threatened to be used.
- The charge was based on the observations/statements made by an eyewitness(es).
 - The witness statement(s) were recorded via:
*Stationhouse interview room camera
- The defendant was known to the victim as:
 - [REDACTED]
- The victim was injured and:
 - [REDACTED]
- A weapon was involved in the incident:
 - Knife/Cutting Instrument
- Physical evidence was seized/recovered:
 - Other Type(s) of physical evidence **KNIFE, BLOOD, CLOTHING**
- Child(ren) were present at the time of the offense and:
 - Child(ren) were placed at risk by the offense
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Previous encounter
- The case involves a search warrant(s).
- The case involves a consent search.

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: **DILLON J GOURLEY LAW ENFORCEMENT OFFICER**

Date: **08/29/2020**

Preliminary Law Enforcement Incident Report

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7/20/2018