



MIDDLESEX COUNTY PROSECUTOR'S OFFICE

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Re: Notice regarding your DWI case

Dear:

Court records indicate that you were arrested for and/or convicted of drunk driving sometime between 2008 and 2016. This letter is to inform you that it is possible there may have been an issue in the proceedings in your DWI case.

Specifically, it has been alleged that on or about October 6, 2015, and on or about October 7, 2015, New Jersey State Police Sergeant Marc Dennis, a former coordinator in the Alcohol Drug Testing Unit, calibrated the Alcotest 7110 MKIII-C ("Alcotest") evidential breath testing instruments in the City of Asbury Park, the City of Long Branch, and the Township of Marlboro, without following the established protocol and then certified that the calibration was done in accordance with the required procedures. Sergeant Dennis' alleged false swearing and improper calibrations of these three instruments may call into question all of the calibrations performed by Sergeant Dennis over the course of his career as a coordinator (i.e. 2008 - 2016), and might possibly entitle you to future relief.

The New Jersey Supreme Court has assigned the Honorable Joseph Lisa, P.J.A.D. (retired and t/a on recall) to preside over a hearing to determine whether Sergeant Dennis' failure to perform a specific step in the established protocol adversely affected the scientific reliability of the calibrations he performed, as well as any evidential breath tests conducted on those Alcotest instruments. The outcome of these legal proceedings, which are now underway, will determine whether you are entitled to future relief. The results of the hearing before Judge Lisa will be posted on the website of the Middlesex County Prosecutor's Office <http://www.middlesexcountynj.gov/Government/Departments/PSH/Prosecutor/Pages/main.aspx> as soon as the hearing is complete and a decision is rendered.

If you believe that you are presently suffering any adverse consequences from your DWI conviction or pending DWI case, you should consult an attorney to determine if you are entitled to emergent, immediate relief.

Very truly yours,

/s/Andrew C. Carey
ANDREW C. CAREY
MIDDLESEX COUNTY PROSECUTOR