

From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Wednesday, August 31, 2022 2:16 PM
To: Bernard DeLury <Bernard.Delury@njcourts.gov>
Cc: Luke Wepy <luke.wepy@njcourts.gov>; Rosaria Mooney <Rosaria.Mooney@njcourts.gov>; TToscano@co.ocean.nj.us; Jeffrey Waldman <jeffrey.waldman@njcourts.gov>; Lynn Heyer <Heyer_L@acpo.org>
Subject: Re: [External]State v. Jason Samaritano

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Thank you.

The defense and the State are requesting the 9/22 date. As my client has indicated that he will not agree to be arraigned, by copy of this e-mail to Mr. Wepy, I am requesting the arraignment be carried with the case management conference on your Honor's list.

Thanks you for your courtesies,

Meg Hoerner

On Wed, Aug 31, 2022 at 12:47 PM Bernard DeLury <Bernard.Delury@njcourts.gov> wrote:

Ms. Hoerner: I have reviewed your letter and request for team assignment. I will be available to conference all matters related to Mr. Samaritano on either September 15 or September 22 on my regular vicinage case management conference. Depending on the outcome of that conference, we will review further filings and team assignments. Please coordinate with Luke Wepy regarding scheduling. If advisable, the new indictments may be arraigned before the team judge before our conference. If more expedient, we can carry the arraignments with the management conference before me. Of course, A/P Toscano's input and schedule should be considered in any scheduling of the case.

Thank you.

Bernard E. DeLury, Jr., [P.J.Cr.](#)

Presiding Judge, Criminal Part

Atlantic and Cape May Counties

Criminal Courts Complex

4997 Unami Boulevard

Mays Landing, NJ 08330

(609) 402-0100, ext. 47360

From: Meg McCormick Hoerner <meg@hoernerlaw.com>

Sent: Wednesday, August 31, 2022 12:28 PM

To: Bernard DeLury <Bernard.DeLury@nycourts.gov>; Luke Wepy <luke.wepy@nycourts.gov>; Rosaria Mooney <Rosaria.Mooney@nycourts.gov>; TToscano@co.ocean.nj.us

Cc: Jeffrey Waldman <jeffrey.waldman@nycourts.gov>; heyer_l@acpo.org

Subject: [External]State v. Jason Samaritano

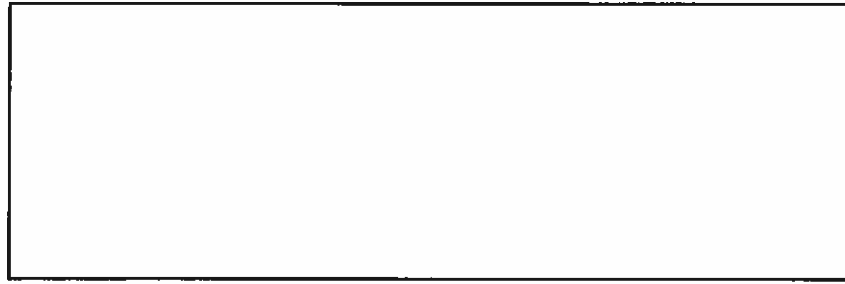
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Judge DeLury:

Please see the attached letter in the above-referenced matter. I am also copying Ocean County Assistant Prosecutor Taylor Toscano who is handling the matters on behalf of the State.

Thank you,

Meg Hoerner



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Prestia , Donna

From: Luke Wepy <luke.wepy@njcourts.gov>
Sent: Monday, September 19, 2022 11:55 AM
To: Toscano, Taylor; Meg McCormick Hoerner
Cc: Rosaria Mooney
Subject: RE: [EXTERNAL] RE: [External]State v. Jason Samaritano

Rosaria – any issue with a 10:00 ready hold on 9/22 for Jason Samaritano before Judge DeLury?

Luke Wepy
Team Leader for Honorable Judge Pamela D'Arcy / Team D
Team Leader for Honorable Judge Dorothy Garrabrant / Team E
Phone: (609) 402-0100 ext. 47337
Atlantic County Superior Court
Criminal Division

****FOR TEAM E MATTERS PLEASE CONTACT NAVIGATOR CHRISTINA CRAWFORD**

****EFFECTIVE 8/29/2022 I AM NO LONGER TEAM LEADER FOR TEAM B**



From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Monday, September 19, 2022 11:46 AM
To: Luke Wepy <luke.wepy@njcourts.gov>; Meg McCormick Hoerner <meg@hoernerlaw.com>
Subject: RE: [EXTERNAL] RE: [External]State v. Jason Samaritano

Hi Luke & Meg,

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Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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Prestia , Donna

From: Luke Wepy <luke.wepy@njcourts.gov>
Sent: Monday, September 19, 2022 11:56 AM
To: Toscano, Taylor; Meg McCormick Hoerner
Subject: RE: [EXTERNAL] RE: [External]State v. Jason Samaritano

Rosaria advised 10:00 is fine.

Luke Wepy
Team Leader for Honorable Judge Pamela D'Arcy / Team D
Team Leader for Honorable Judge Dorothy Garra-brant / Team E
Phone: (609) 402-0100 ext. 47337
Atlantic County Superior Court
Criminal Division

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From: Luke Wepy <luke.wepy@njcourts.gov>
Sent: Thursday, September 1, 2022 10:42 AM
To: Bernard DeLury <Bernard.Delury@njcourts.gov>; Meg McCormick Hoerner <meg@hoernerlaw.com>
Cc: Rosaria Mooney <Rosaria.Mooney@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>; Jeffrey Waldman <jeffrey.waldman@njcourts.gov>; heyer l@acpo.org; Linda Ruff <linda.ruff@njcourts.gov>; Brooke Zelig <brooke.zelig@njcourts.gov>
Subject: [EXTERNAL] RE: [External]State v. Jason Samaritano

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All matters listed for 9/12 will be moved to 9/22 before Judge DeLury.
Ms. Hoerner – please advise your client of the new date.

Luke Wepy
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Bernard E. DeLury, Jr., P.J.Cr.
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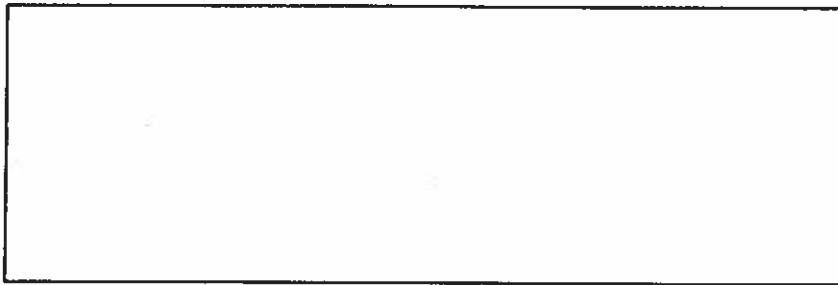
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Prestia , Donna

From: Toscano, Taylor
Sent: Monday, September 19, 2022 1:24 PM
To: Luke Wepy; Meg McCormick Hoerner
Subject: RE: [EXTERNAL] RE: [External]State v. Jason Samaritano

Thank you!



Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
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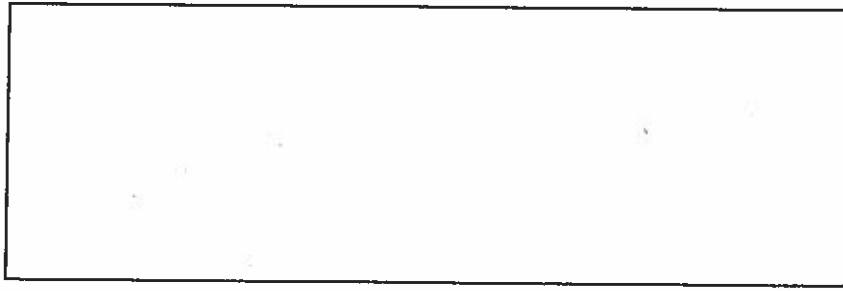
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Prestia , Donna

From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Wednesday, September 21, 2022 1:08 PM
To: Bernard DeLury; Toscano, Taylor; Luke Wepy; Rosaria Mooney; Lynn Heyer; Jeffrey Waldman; Scott Sherwood
Subject: [EXTERNAL] State v. Jason Samaritano - Motion to be Relieved
Attachments: NOM - State v. Jason Samaritano - To Be Relieved.pdf; Jason Samaritano - Certification - Motion to be Relieved.pdf; Order - Jason Samaritano - Motion to be Relieved.docx

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Attached please find a courtesy copy of a Motion to be Relieved with accompanying Certification in the above-referenced matter. A copy will be sent to Mr. Samaritano under a separate e-mail.

Thank you,
Meg Hoerner



HOERNER LAW

801 Asbury Avenue, Suite 201 • Ocean City, NJ 08226

hoernerlaw.com

609.938.0809

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Prestia , Donna

From: Brooke Zelig <brooke.zelig@njcourts.gov>
Sent: Friday, September 23, 2022 3:52 PM
To: Meg McCormick Hoerner; Toscano, Taylor
Cc: Jason Wertzberger; Scott.Sherwood@opd.nj.gov
Subject: [EXTERNAL] State v. Samaritano
Attachments: Samaritano, Jason - Order for upload.pdf; Samaritano, Jason - Order by BED for upload.pdf; Samaritano, Jason - Letter upload.pdf

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Good afternoon,

I have attached the letter and corresponding documents from Judge DeLury in the matter of State v. Jason Samaritano. Jason Wertzberger is going to send it directly to Mr. Samaritano. The documents have all been uploaded to eCourts as well.

Best,

Brooke R. Zelig, J.D.

Law Clerk to the Hon. Bernard E. DeLury, Jr., P.J.Cr.

Atlantic County Superior Court, Criminal Division

4997 Unami Blvd.

Mays Landing, NJ 08330

(609) 402-0100 x47315

Prestia , Donna

From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Tuesday, August 2, 2022 12:06 PM
To: Toscano, Taylor
Subject: Re: [EXTERNAL] Jason Samaritano

Ok. Thank you very much for following up and letting me know.

On Tue, Aug 2, 2022 at 11:49 AM Toscano, Taylor <TToscano@co.ocean.nj.us> wrote:

Hi Meg,

I just spoke with the criminal division manager in Ocean. Without going into detail, she advised that the matters should remain in Atlantic County. As such, I won't be arguing that the cases should come back to Ocean and will make my appearance in Atlantic.

Thanks!

Taylor



Taylor Toscano
Assistant Prosecutor
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Toms River, NJ 08754-2191
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Sent: Friday, July 29, 2022 2:33 PM
To: Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: Re: [EXTERNAL] Jason Samaritano

Hi:

It might be helpful to both of us if we can get something from Ocean CCM / the assignment judge clarifying the reason for the conflict. The assignment judge's order is unclear.

Thanks and have a great weekend!

Meg

On Fri, Jul 29, 2022 at 2:30 PM Toscano, Taylor <TToscano@co.ocean.nj.us> wrote:

I have no issue returning it to the trial team, however, in my opinion the matters should be sent back to Ocean as the only reason it was transferred to Atlantic was due to a recovery court conflict here.

Please keep me updated as to whether the matter will be adjourned Monday as I have to leave my office early afternoon to make the 2pm hearing. Thank you! Hope you all have a great weekend!

Taylor



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Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

From: Meg McCormick Hoerner <meg@hoernerlaw.com>

Sent: Friday, July 29, 2022 2:15 PM

To: Lynn Heyer <heyer_l@acpo.org>; Michael Taylor <michael.taylor@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>

Subject: [EXTERNAL] Jason Samaritano

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

Good afternoon:

At this time, Mr. Samaritano has no interest in applying to recovery court on his new matters. I obtained the GJ transcripts and will likely be filing motions to dismiss.

Does it make sense to leave this on before Waldman on Monday or should we just return it to Darcy's list?

Meg

Prestia , Donna

From: Toscano, Taylor
Sent: Tuesday, August 2, 2022 11:49 AM
To: Meg McCormick Hoerner
Subject: RE: [EXTERNAL] Jason Samaritano

Hi Meg,

I just spoke with the criminal division manager in Ocean. Without going into detail, she advised that the matters should remain in Atlantic County. As such, I won't be arguing that the cases should come back to Ocean and will make my appearance in Atlantic.

Thanks!
Taylor



Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Friday, July 29, 2022 2:33 PM
To: Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: Re: [EXTERNAL] Jason Samaritano

Hi:

It might be helpful to both of us if we can get something from Ocean CCM / the assignment judge clarifying the reason for the conflict. The assignment judge's order is unclear.

Thanks and have a great weekend!

Meg

On Fri, Jul 29, 2022 at 2:30 PM Toscano, Taylor <TToscano@co.ocean.nj.us> wrote:

I have no issue returning it to the trial team, however, in my opinion the matters should be sent back to Ocean as the only reason it was transferred to Atlantic was due to a recovery court conflict here.

Please keep me updated as to whether the matter will be adjourned Monday as I have to leave my office early afternoon to make the 2pm hearing. Thank you! Hope you all have a great weekend!

Taylor



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Sent: Friday, July 29, 2022 2:15 PM
To: Lynn Heyer <heyer_l@acpo.org>; Michael Taylor <michael.taylor@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>
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Does it make sense to leave this on before Waldman on Monday or should we just return it to Darcy's list?

Meg

Prestia , Donna

From: Toscano, Taylor
Sent: Tuesday, August 2, 2022 11:46 AM
To: Michelle Tierney; Agustina Lane
Subject: RE: [EXTERNAL] Jason Samaritano

Thank you for your assistance!!!



Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>
Sent: Tuesday, August 2, 2022 11:34 AM
To: Toscano, Taylor <TToscano@co.ocean.nj.us>; Agustina Lane <agustina.lane@njcourts.gov>
Subject: RE: [EXTERNAL] Jason Samaritano

Hi Taylor,

This was a venue transfer, not a consolidation. I consulted with Judge Ford, the case is venued in Atlantic and that's where it needs to stay. Please call me if you have any other questions. Thanks.

Michelle L. Tierney
Criminal Division Manager
Superior Court of NJ-Ocean Vicinage
732-504-0700 x64330 (voice)
732-288-7606 (fax)

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, July 29, 2022 2:48 PM
To: Agustina Lane <agustina.lane@njcourts.gov>; Michelle Tierney <Michelle.Tierney@njcourts.gov>
Subject: FW: [EXTERNAL] Jason Samaritano

Hi Ag and Michelle,

Hope all is well! I'm hoping you can point me in the right direction...based on what I was told, all of Jason Samaritano's cases were sent to Atlantic County due to a conflict with Ocean's Recovery Court. (See attached Order from Judge Ford.)

He entered into Atlantic County Recovery Court for his Atlantic and Monmouth County cases, however, refuses to plead to the Ocean County cases down there. As such, they have been lingering on until recently when I entered my appearance down there and have informally requested that the matters be transferred back to Ocean for trial purposes as the conflict no longer exists if he does not wish to enter Recovery Court on the Ocean cases. His new defense attorney is seeking clarification on why the matters were initially sent to Atlantic, despite having multiple hearings in Ocean prior to his application to Recovery Court. Would you suggest that I send a letter to Judge Ford's chambers requesting that clarification, or is there something in the Court system that shows the conflict and the reason why?

I should also note, the matters were subsequently sent back to Ocean County "for indictment purposes only" from Atlantic. I'm still confused about that one...

Thanks for any guidance you can provide! Have a great weekend.

Taylor



Taylor Toscano
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Toms River, NJ 08754-2191
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From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Friday, July 29, 2022 2:33 PM
To: Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: Re: [EXTERNAL] Jason Samaritano

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Friday, July 29, 2022 2:15 PM
To: Lynn Heyer <lheyer@acpo.org>; Michael Taylor <michael.taylor@nycourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: [EXTERNAL] Jason Samaritano

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Does it make sense to leave this on before Waldman on Monday or should we just return it to Darcy's list?

Meg

Prestia , Donna

From: Meg McCormick Hoerner <meg@hoernerlaw.com>
Sent: Thursday, September 22, 2022 9:46 AM
To: Rosaria Mooney; Toscano, Taylor
Subject: [EXTERNAL] Jason Samaritano

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This was moved to 11 and Mr. Samaritano is permitted to appear via zoom?

Meg

Prestia , Donna

From: Erin notary <mobile.notary.erin@gmail.com>
Sent: Sunday, September 11, 2022 11:55 PM
To: antonios.fotiou@njcourts.gov; john.bond@njcourts.gov; jeffrey.waldman@njcourts.gov; michael.taylor@njcourts.gov; briana.munoz@njcourts.gov; debbie.davis@njcourts.gov; Toscano, Taylor; Litria.scodella@njcourts.gov; sabrina.estefanmaldo@njcourts.gov; pamela.darcy@njcourts.gov; michael.blee@njcourts.gov; joseph.marczyk@njcourts.gov; bernard.delury@njcourts.gov; jill.vito@njcourts.gov; Billhimer, Bradley; aram.karabulut@opd.nj.gov; vita.mennie@opd.nj.gov
Subject: [EXTERNAL] Fwd: ORDER copy
Attachments: Marlene Lynch Ford letter-1.pdf

This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email.

This email is being forwarded to you because you have been a part of emails involving Jason Samaritano or you are a person that may need to know the truth behind what's been going on behind the scenes.

----- Forwarded message -----

From: Erin notary <mobile.notary.erin@gmail.com>
Date: Sun, Sep 11, 2022, 2:04 PM
Subject: ORDER copy
To: <melissa.mcgee@njcourts.gov>
Cc: Logan Tower <logan.tower@njcourts.gov>, Luke Wepy <luke.wepy@njcourts.gov>, michelle.tierney@njcourts.gov <michelle.tierney@njcourts.gov>, forthepeople14th <forthepeople14th@gmail.com>, Meg McCormick Hoerner <meg@hoernerlaw.com>

Dear Ms. McGee,

I am contacting you seeking a copy of the signed order that transferred my husband, Jason Samaritano's cases back to Ocean County for AP Taylor Toscano for indictment.

Apparently AP Toscano, Lynn Heyer and Luke Wepy have been behind the scenes orchestrating what they want to happen in my husband's cases instead of abiding by Assignment Judge Marlene Lynch Ford's order which transferred his cases to Atlantic County for disposition. This was not up for their interpretation. Clearly if Ms. Toscano had issue with the cases being transferred she should have filed a motion. Instead she has remained in constant contact with Atlantic County employees in order to get herself back into my husband's cases.

It would appear that this is a personal vendetta that Ms. Toscano has with my husband. It's now time for her to come clean about what that personal issue is.

I have read voluminous amount of emails of her conspiring how she can be brought back in these cases and get them back to Ocean County for indictments. Also how she and Luke Wepy decided that she should be sworn in

by the AG for Atlantic County so she can be involved in the cases. The lengths she has gone behind Assignment Judge Marlene Lynch Ford's back are outrageous.

Moreover, all of you have stated in emails that my husband refuses to plead the Ocean cases. The actual issue was the lack of ALL discovery that Ocean Prosecutor's and then Atlantic County Public Defenders office failed to provide my husband. He has a legal right to all his discovery and the Public Defenders Office refused to order transcripts needed and provide all documents. For over 2 years my husband and indirectly, I, have had to deal with Deputy Defender Scott Sherwood's abuse tactics. We obtained a copy of the police body cams of my husband's last encounter with Mr. Sherwood and he lied several times to the police officers. My husband warned Mr. Sherwood that he recorded their encounter but he continued to behave abusively.

This has now spilled over to my husband's pool attorney that is copied in this email. Her communication and cooperation went from 100% to 10%. We have now caught her in lies (which can be proven), failure to return calls & emails for countless days, failure to provide documents and make requests, etc.

Are there any honest people that defend defendants anymore? The numerous violations of my husband's rights are disgusting. We have provided his pool attorney with so much information about the cases that NEVER should have been brought before the court and should have gone to arbitration as per his contracts. But Ms. Toscano failed to disclose that information to the court and interestingly it's nowhere in the discovery.

I will be seeking a full investigation into all these communications with regards to Ocean County, Atlantic County and Monmouth County employees as well as the public defenders/pool attorney. The emails indicate that there were plenty of phone conversations as well.

My husband to date has only received one order relating to these cases which is the one changing venue by Marlene Lynch Ford. We now need copies of all venue changes from Monmouth County as well and whatever order Taylor Toscano, Luke Wepy and Lynn Heyer worked out to get venue changed to Ocean for indictment purposes.

Furthermore, we are aware that AP Toscano went to the AG's office behind Judge Ford's back to obtain an oath in order to partake in my husband's cases. It is unreal the lengths that she will go to. She is obsessed with prosecuting my husband, for what reason?

Atlantic county is now conflicted with my husband for allowing this all to transpire. It has now come to our attention that Judge D'Arcy and Judge Waldman have been instrumental in having my husband's cases indicted by Ocean County. Again, against an assignment judges order.

We are no longer comfortable in your venue because of these conflicts. My husband has been completely denied due process, discovery, fairness, etc. How can anyone expect my husband to go before any Atlantic County judge now knowing they are conspiring with the Ocean County Prosecutor? That proves the bias against my husband.

I have tried not to get involved and allow him to handle it but everyone involved just wants to make him seem crazy and out of control. They all fail to see how he has been treated. Emails prove that Ms. Toscano even has connections in the Ocean County Jail for which she communicated to about my husband. Perhaps that's why he was abused and treated poorly in their facility. Ms. Toscano is clearly acting outside of her capacity as an AP. Your venue is helping her.

I'm sure that you all need time to discuss what to do about this messy situation that was created solely by Ms. Toscano's unwillingness to separate herself from my husband's cases. Since my husband no longer trusts his pool attorney due to the above mentioned reasons as well as her personal connections to some Atlantic County

employees we will need all communications directly. All documents from this point need to be sent to us as well since she has failed to provide us with numerous requests we have made of her. Court notices need to be timely sent to us as well.

If you feel that this email needs to be forwarded to another department head please inform me as to you are sending it to along with their email address so that I may have direct contact with them. If you need a signed letter from my husband for these communications from me please advise and we will make that happen.

I am a freelance paralegal so I can guide my husband accordingly. As for these indictments that Ms. Toscano just did this year, they are no good. Never should have happened. She should be disbarred for her behavior. I plan to use all the information I have obtained regarding her and others involved to prove the collusional behaviors. My family has been put through enough. Ms. Toscano even recalled a case from 3 years ago that was remanded to municipal court. This proves she has a vendetta. Her personal vendetta has caused her to lose sight of her position in the prosecutorial capacity. She is unprofessional, unethical and a liability to Ocean County and herself.

I need to also state that the Atlantic County Prosecutor's Office released my husband's records to an attorney in an unrelated civil matter our family is currently involved in. This was done without us being given the ability to object. Again, causing a serious appearance of bias your Vicinage has towards my husband. I filed an internal affairs investigation into that matter. Apparently I need to do the same or go beyond for a complete investigation into all of this that has transpired here with his criminal cases.

I have copied the Ocean County Criminal Division Manager, Michelle Tierney, so she has a full understanding of what has been transpiring behind Assignment Judge Marlene Lynch Ford's back. Ms. Toscano has been in constant contact with Atlantic County employees from the onset and only reached out to Ms. Tierney one time (July 29, 2022) regarding the conflict and transfer of venue despite her numerous emails to many individuals throughout the involved Vicinages over the years giving them her own interpretation. Ms. Tierney's response to Ms. Toscano was that it was a venue transfer of my husband's cases NOT a consolidation. Ms. Toscano had already made an appearance in my husband's cases in Atlantic County at that point and already contacted the AG to be sworn in to Atlantic County with respect to his cases on June 2, 2022. Why hadn't she contacted Ms. Tierney sooner? Many questions surround her persistent involvement and they need to be answered.

I look forward to a response.

Sincerely,

Erin Samaritano

Freelance Paralegal

NJ Notary Public

Wife of Jason Samaritano

From: Erin notary <mobile.notary.erin@gmail.com>

Sent: Tuesday, September 20, 2022 4:51 PM

To: jeffrey.waldman@njcourts.gov; michael.blee@njcourts.gov; pamela.darcy@njcourts.gov; bernard.delury@njcourts.gov; forthepeople14th@gmail.com; antonios.fotiou@njcourts.gov; LAshwal@mcponj.org; AndersonE@njdcj.org; michelle.tierney@njcourts.gov; Agustina.lane@njcourts.gov; melissa.mcgee@njcourts.gov; Toscano, Taylor <TToscano@co.ocean.nj.us>; Billhimer, Bradley <BBillhimer@co.ocean.nj.us>; brooke.hoffner@njcourts.gov; Logan Tower <logan.tower@njcourts.gov>
Cc: Meg McCormick Hoerner <meg@hoernerlaw.com>; llsam@verizon.net; jjsamOne@verizon.net
Subject: [EXTERNAL] IMPORTANT EMAILS.pdf

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Good evening everyone.

I am writing to give you some insight into a few of the emails that we have previously referenced. As you can see this has caused a very large problem for Atlantic County now. Many employees took Ms. Toscano on her word instead of following up on the order of Assignment Judge Marlene Lynch Ford.

The fact that those cases were now indicted in a conflicted county raises a lot of issues. As you will see I made some notations on the emails to help you see things from our perspective. I must also address the fact that I sat in the court room with my husband during his last appearance before your court and Judge Waldman tried to

have Jason arraigned on that day. I saw Ms. Toscano present on the screen and listened to her claim that she was recently put back into the case. As if she had nothing to do with it.

It was bad enough that the Atlantic County Prosecutor's Office released my husband's confidential records to a law firm in a civil action against our family without consent. Then all of these collusional emails come to surface.

Jason has been saying all long that things were not right and that the courts and his public defenders were working more together than they were for his legal rights. These emails prove that to be true. I cannot tell you how disappointed I feel that these types of things really do go on.

He now has absolutely no attorney because she was caught in too many lies to us and failed to order things we needed. She even failed to supply us with items she had in her possession despite the many times that we asked for them.

Jason reported to Ocean County Pretrial Monitoring for quite some time even though I questioned it. Why would he have to be monitored by a county that just transferred his case due to a conflict? It didn't make sense to me. Apparently after my last email it didn't make sense to any of you either because you are now ordering it there. No letter to us stating we were correct and the court made an error. Just a letter from an Atlantic County employee stating she's his new monitor without any explanation from the court directly.

We were not provided any motions from any of the counties nor were we provided with any Orders. A few months ago we finally received a copy of the Ocean County transfer order with the incorrect name. Looking through many emails we now find out there was a transfer back to Ocean for indictment purposes with the same incorrect name but we were not provided a copy. Not by the court and not by his legal counsel. Was his legal counsel provided with it? They had a legal responsibility to inform Jason of the order and he had every right to object.

All documents are a part of discovery. What were the reasons to recall a 2017 case? Who recalled it? Why wasn't it indicted sooner if they had all their discovery? Another case that was indicted was another contract case in which the alleged victim already received a civil judgment from the OCEAN COUNTY Court (conflicted court) so what would be the purpose of charging Jason criminally? Especially since they have stripped him of his right to make a living? The money that was allegedly taken was not even the alleged victims money. It was RREM (Sandy Relief) money from the state that was used in connection to the job and defendant would have a right to earn wages not just pay for related materials etc to the job. Not to mention the alleged victim received that Ocean County Civil Judgment in treble damages. The accusation is "Theft by Deception" for which there was not. Did Jason take money for the job? Yes. Did he spend some of that money on the job? Yes he absolutely did. Even the grand jury transcripts prove that he did. Yet, somehow Ms. Toscano got enough members of the grand jury to agree with her. Jason and I both asked his pool attorney for the audio transcripts of the grand jury indictments. We received ZERO to date. Keep in mind OCEAN COUNTY is a conflict for Jason period, end of story. A conflict since at least 2014 when the lawsuit against them was originally filed.

With respect to our current situation in Atlantic County Ms. Toscano had one job after May 4, 2020 and that job was to get all discovery to Atlantic County even if she had to hand deliver it. She stalled on every front. Judge Waldman argued with Jason over this in court but Jason was correct. He had every right to ALL DISCOVERY. Not what they pick and choose he can see. He has every right to every motion, order, and everything else included in his cases. Most importantly he had a right to file motions and only one attorney did that on his behalf, Nellie Marquez, and she unfortunately fell short on her argument. However, her email to Lynn Heyer states she knew the judge wouldn't allow the dismissal anyway.

Laura Musarra could have and should have filed a motion to stop the transfer back to Ocean County for indictment but she didn't. She sat back and waited for the indictments to come back and told Jason she would give him all discovery at his arrangement on those cases. Why not before? And supposedly he had all discovery according to Judge Waldman. So what is going on here?

I am not comfortable with my husband being in your vicinage and he certainly is not comfortable going there. So now what happens? We need to be kept in the loop since he doesn't have a lawyer. Every person your court has appointed to supposedly defend Jason has not done their job to defend their client and have his best interest.

It is clear from the Ocean County Division Manager, Michelle Tierney that this was not a consolidation order. It was a complete venue change. The conflict was with the entire Ocean Vicinage. Ms. Toscano is a part of that vicinage. Yet she remained in consistent contact with Monmouth and Atlantic County and she told them her lie that the conflict was not with her office and it was only with the Ocean County Drug Court. That is complete Fraud Upon the Court. Her lie grew into a complete obsession and she manipulated two counties. She needs to be held accountable as a defendant with official charges brought against her.

My husband should not have to appear in a court that has disgracefully aided Ms. Toscano in her unethical tactics. At least 3 judges in your County have had some input on transferring his Ocean County cases back to the conflicted Ocean County for indictments by Ms. Toscano.

Within these emails Judge Waldman, Judge D'Arcy and the presiding Judge Delury all had input. Enough is enough. Where is everyone's accountability? You are supposed to uphold the law. In this instance you all aiding an overzealous Prosecutor to get back into a case clearly she has some insanely personal connection to that needs to come out. These are not murder cases. These are white collar "accusations" that she used the pandemic and fraudulent PSA scoring by, again, a conflicting County. Ms. Toscano's inability to see past her personal vendetta to the point that she even steps on the toes of an assignment judge are inexcusable. Her reckless behavior will undoubtedly force all court personnel to look into the statements of all Prosecutor's and not be so quick to take their word as gold.

My husband has court in your vicinage on Thursday, September 22, 2022. We are requesting a zoom appearance. I realize you may need time to review the emails that are attached and discuss them with the appropriate individuals. Keep in mind that these are only a few emails out of many that we have received.

Should you decide to adjourn Thursday's court date please advise us through our email addresses and send all zoom invites there as well: Forthpeople14th@gmail.com & Mobile.notary.erin@gmail.com

Jason will continue to do his urines here in Ocean County to save the gas money from the ridiculous back and forth rides to Atlantic County. I assure you that he is not doing any drugs as I would certainly be able to tell since he has been clean for so long. He is also fine with meeting his current probation officer half way if he would be open to doing that.

At this juncture ALL cases should be dismissed due to Fraud Upon the Court. There are two fraud instances here within the Judiciary machinery. The first is Ms. Toscano's deception regarding the conflict and how that fraud included all 3 counties plus the Attorney General's Office that she defrauded to help her be able to make appearances in Atlantic County regarding these cases. The second, is the Atlantic County Prosecutor's Office releasing information that they should not have to The Law Office of Paul Leodori. As mentioned in my previous email. That law firm had an employee of your vicinage by the name of Steven Kyle Schiebner. (No longer works there)

With all that has transpired I hope that all of you copied in this letter will take deep consideration into how much time my husband has spent dealing with these cases and maintaining his sobriety through an absurd amount of unnecessary turbulence.

Kindly get back to us at your earliest convenience regarding these issues and Thursday's court appearance. We will need a zoom request email if that date is remaining.

Thank you for your time and consideration in these highly delicate matters.

Respectfully submitted by,

Erin Samaritano

On behalf of

Jason Samaritano