



OFFICE OF THE PROSECUTOR

County of Atlantic

4997 Unami Boulevard
P.O. Box 2002
Mays Landing, NJ 08330

William E. Reynolds
Acting Prosecutor

(609) 909-7900 • Fax: (609) 909-7806

July 21, 2022

Erin

Opra+requests-33930-5a8a7110@requests.opramachine.com

Re: Open Public Records Act Request #22-72

Dear Erin:

This letter is in response to your request under the Open Public Records Act (OPRA) and common law, received by this agency via email on July 17, 2022, seeking “*emails to and from public employee Lynn Heyer of the Prosecutor’s Office, to and from All individuals in regards to defendant Jason Samaritano. This includes letters to and from Judges, Public Defenders and anyone associated with the defendant’s cases.*”

With the exception of the attached records, these records would be exempt from disclosure under OPRA; they would be criminal investigatory records, as they are not ““required by law to be made,”” and they ““pertain[] to a criminal investigation.”” North Jersey Media Group, Inc. v. Twp. of Lyndhurst, 229 N.J. 541, 564 (2017) (quoting N.J.S.A. 47:1A-1.1). Criminal investigatory records are not subject to disclosure under OPRA. See N.J.S.A. 47:1A-1.1 (“criminal investigatory records” are not government records for purposes of OPRA). Accordingly, I must respectfully deny your request.

Very truly yours,

/s/Debra B. Albuquerque

Debra B. Albuquerque
Special Deputy Attorney General
Custodian of Records

Debra Albuquerque

From: Erin <opra+request-33930-5a8a7110@requests.opramachine.com>
Sent: Sunday, July 17, 2022 9:43 AM
To: OPRA
Subject: OPRA request - Emails from Assistant Prosecutor Lynn Heyer

[EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.]

Dear Atlantic 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:

May I please have emails to and from public employee Lynn Heyer of the Prosecutor's Office, to and from ALL individuals in regards to defendant Jason Samaritano. This includes letters to and from Judges, Public Defenders, and anyone associated with the defendant's cases.

Thank you for your time
Sincerely,
Erin

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-33930-5a8a7110@requests.opramachine.com

Is OPRA@acpo.org the wrong address for OPRA requests to Atlantic County Prosecutor's Office? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=atlantic_county_prosecutors_office

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

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/emails_from_assistant_prosecutor

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Debra Albuquerque

From: Lynn Heyer
Sent: Thursday, June 16, 2022 3:30 PM
To: Jason Wertzberger;michael.taylor@njcourts.gov;Logan Tower
(logan.tower@njcourts.gov);Luke Wepy (luke.wepy@njcourts.gov)
Subject: swearing in of A/P Taylor Toscano as a Special Deputy Attorney General

Good afternoon, Sir

Ocean County A/P Taylor Toscano will be appearing in our County on Monday and Wednesday for the Jason Samaritano matters. I believe she will need to be sworn in our County prior to going on the record for defendant's matters. Would Judge DeLury be available for this?

Thanks in advance

Lynn M. Heyer
Assistant Atlantic County Prosecutor

Debra Albuquerque

From: Lynn Heyer
Sent: Tuesday, March 16, 2021 12:41 PM
To: Fran Macaluso-Bryant; Information Technology
Subject: RE: scanning

Thanks very much for all your help

From: Fran Macaluso-Bryant
Sent: Tuesday, March 16, 2021 12:40 PM
To: Information Technology
Cc: Lynn Heyer
Subject: scanning

Hello It, Could you please transfer what was scanned into file number 20002757 into 21000413; 20002755 into 21000414 and 20002752 into 21000415 (in each category, not all in one -which was done-). The defendants name is Jason Samaritano. This needs to be done as soon as possible due to the judge and court scheduling. Thank you and have a great day.

Frances Macaluso-Bryant
Senior Clerk Transcriber
Office of The Prosecutor
County of Atlantic, State of New Jersey
4997 Unami Blvd.,
Mays Landing, NJ 08330
Phone: (609) 909-7880
Fax: (609) 909-7802

Debra Albuquerque

From: Larissa DeCarlo <larissa.decarlo@njcourts.gov>
Sent: Thursday, May 19, 2022 12:39 PM
To: Luke Wepy; Jessica Ortega; Bret Mlynarczyk; Theresa Vaccaro; Alyssa Mallgrave; Michael Taylor
Cc: Lynn Heyer; Lauren.Musarra@opd.nj.gov; TToscano@co.ocean.nj.us
Subject: RE: Jason Samaritano, 5/23

[EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.]

Ty I'm doing the change of address now in promis fyi

From: Luke Wepy <luke.wepy@njcourts.gov>
Sent: Thursday, May 19, 2022 12:33 PM
To: Jessica Ortega <jessica.ortega@njcourts.gov>; Larissa DeCarlo <larissa.decarlo@njcourts.gov>; Bret Mlynarczyk <Bret.Mlynarczyk@njcourts.gov>; Theresa Vaccaro <theresa.vaccaro@njcourts.gov>; Alyssa Mallgrave <alyssa.mallgrave@njcourts.gov>; Michael Taylor <Michael.Taylor@njcourts.gov>
Cc: heyer_l@acpo.org; Lauren.Musarra@opd.nj.gov; TToscano@co.ocean.nj.us
Subject: Jason Samaritano, 5/23

Jess – please postpone to 6/20 – def unavailable – to be heard in person.
Please also change his address in promis to 383 Barbados Drive North, Toms River, NJ 08757

21000415	001	22-04-00674-I	SAMARITANO JASON VM	DARCY 05	23	2022	0900
21000415	001		SAMARITANO JASON PI	DARCY 05	23	2022	0130
21000414	001	22-02-00250-Z	SAMARITANO JASON PI	DARCY 05	23	2022	0130
21000413	001	20-03-00497-Z	SAMARITANO JASON PI	DARCY 05	23	2022	0130
20002756	001	22-03-00460-Z	SAMARITANO JASON VM	DARCY 05	23	2022	0130
20002756	001		SAMARITANO JASON PI	DARCY 05	23	2022	0130

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

Debra Albuquerque

From: Luke Wepy <luke.wepy@njcourts.gov>
Sent: Tuesday, June 21, 2022 9:33 AM
To: Jessica Ortega; Larissa DeCarlo; Alyssa Mallgrave; Theresa Vaccaro; Bret Mlynarczyk
Cc: Meg McCormick Hoerner; Lynn Heyer; TToscano@co.ocean.nj.us
Subject: RE: Jason Samaritano, 6/22

[EXTERNAL EMAIL: Do not click any links or open any attachments unless you trust the sender and know the content is safe.]

Please list them at 2:00 PM per Judge Waldman.

Luke Wepy
Team Leader for Honorable Judge Pamela D'Arcy / Team D
Team Leader for Team B / Vacant
Phone: (609) 402-0100 ext. 47337
Atlantic County Superior Court
Criminal Division
NOTE: Effective 03/09/2020 I am no longer Team Leader for Judge Cunningham / Team C.



From: Luke Wepy
Sent: Tuesday, June 21, 2022 9:32 AM
To: Jessica Ortega <jessica.ortega@njcourts.gov>; Larissa DeCarlo <larissa.decarlo@njcourts.gov>; Alyssa Mallgrave <alyssa.mallgrave@njcourts.gov>; Theresa Vaccaro <theresa.vaccaro@njcourts.gov>; Bret Mlynarczyk <Bret.Mlynarczyk@njcourts.gov>
Cc: Meg McCormick Hoerner <meg@hoernerlaw.com>; heyer_l@acpo.org; TToscano@co.ocean.nj.us
Subject: Jason Samaritano, 6/22

Jess – please postpone to 8/1/22 before judge Waldman – use WALDMANDC – to be heard in person.

21000415	001	22-04-00674-I	SAMARITANO JASON VM	DARCY 06	22	2022	0900
21000415	001		SAMARITANO JASON PI	DARCY 06	22	2022	0900
21000414	001	22-02-00250-Z	SAMARITANO JASON PI	DARCY 06	22	2022	0900
21000413	001	20-03-00497-Z	SAMARITANO JASON PI	DARCY 06	22	2022	0900
20002756	001	22-03-00460-Z	SAMARITANO JASON VM	DARCY 06	22	2022	0900
20002756	001		SAMARITANO JASON PI	DARCY 06	22	2022	0900

Luke Wepy
Team Leader for Honorable Judge Pamela D'Arcy / Team D
Team Leader for Team B / Vacant
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