



Change of Judgment of Conviction & Order for Commitment Amend Prior Service Credit Superior Court of New Jersey, MONMOUTH County

State of New Jersey**v.**Last Name
MORABITOFirst Name
LEOMiddle Name
P

Also Known As

Date of Birth
[REDACTED]/1999SBI Number
651420GDate(s) of Offense
03/13/2020

Date of Arrest

PROMIS Number
20 001199-001Date Ind / Acc / Complt Filed
06/30/2021

Original Plea

☒ Not Guilty☐ GuiltyDate of Original Plea
07/27/2021

Adjudication By

☒ Guilty Plea☐ Jury Trial Verdict☐ Non-Jury Trial Verdict☐ Dismissed / Acquitted

Date: 09/29/2023

☐ Sealed (N.J.S.A. 2C:52-5.2)**Original Charges**

Ind / Acc / Complt	Count	Description	Statute	Degree
21-06-00645-I	1	CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:5-1A(1)	1
		MURDER - PURPOSELY	2C:11-3A(1)	
21-06-00645-I	2	CRIMINAL ATTEMPT - PURPOSELY ENGAGES IN CONDUCT	2C:5-1A(1)	1
		MURDER - PURPOSELY	2C:11-3A(1)	
21-06-00645-I	3	POSS OF WEAPON FOR UNLAWFUL PURPOSE-FIREARM-ANYONE	2C:39-4A(1)	2
21-06-00645-I	4	POSS OF WEAPON FOR UNLAWFUL PURPOSE-FIREARM-ANYONE	2C:39-4A(1)	2
21-06-00645-I	5	UNLAWFUL POSS WEAPON-HANDGUNS WITHOUT PERMIT	2C:39-5B(1)	2

(Cont...)

Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
21-06-00645-I	AMENDED 1	AGG ASSAULT-ATTEMPT/CAUSE SBI PURP/KNOW/RECKLESS	2C:12-1B(1)	2

Sentencing Statement

It is, therefore, on 05/09/2025 **ORDERED** and **ADJUDGED** that the defendant is sentenced as follows:

5/15/2025 - The JOC has been amended to reflect the following:

Prior Service Credit is as follows: 525 days 12/1/2023 - 5/8/2025.

5/9/2025 - As per Appellate Division decision A-002110-23 issued on 12/4/2024 the defendant is resentenced as follows:

Count 1: The defendant is committed to the custody of the Commissioner of the Department of Corrections for a term of nine (9) years. Pursuant to NERA, the defendant must serve 85% of the maximum term before being eligible for parole and three (3) years of parole supervision.

Jail credit is as follows: 1337 days 4/3/20 - 11/30/23.

Prior service credit is as follows: 370 days 12/1/2023 - 12/4/2024.

Aggravating factors 3, 9 were found and mitigating factors 9, 14 were found. Aggravating factors substantially outweigh mitigating factors.
(Cont...)

☒ It is further **ORDERED** that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term
009 Years 00 Months 000 DaysInstitution Name
CARE COMMISS/CORRTotal Probation Term
00 Years 00 Months

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DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)		Additional Conditions																			
A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.) ☐ DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2)) <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 30%;"></th> <th style="width: 30%; text-align: center;">Standard</th> <th style="width: 30%; text-align: center;">Doubled</th> </tr> </thead> <tbody> <tr> <td>1st Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>2nd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>3rd Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>4th Degree</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> <tr> <td>DP or Petty DP</td> <td style="text-align: center;">_____ @ \$</td> <td style="text-align: center;">_____ @ \$</td> </tr> </tbody> </table> Total DEDR Penalty \$ _____ ☐ The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)			Standard	Doubled	1st Degree	_____ @ \$	_____ @ \$	2nd Degree	_____ @ \$	_____ @ \$	3rd Degree	_____ @ \$	_____ @ \$	4th Degree	_____ @ \$	_____ @ \$	DP or Petty DP	_____ @ \$	_____ @ \$	☒ The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29). ☐ The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4). ☐ The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4). ☒ The defendant is hereby ordered to serve a <u>3</u> year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2). ☐ The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____ ☐ The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8). ☐ The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1). ☐ The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).	
	Standard	Doubled																			
1st Degree	_____ @ \$	_____ @ \$																			
2nd Degree	_____ @ \$	_____ @ \$																			
3rd Degree	_____ @ \$	_____ @ \$																			
4th Degree	_____ @ \$	_____ @ \$																			
DP or Petty DP	_____ @ \$	_____ @ \$																			
Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____ Total Lab Fee _____ Offenses @ \$ _____ \$ _____																					
VCCO Assessment (N.J.S.A. 2C:43-3.1)																					
Counts	Number	Amount																			
1	2 @	\$ 50.00																			
	@	\$																			
	@	\$																			
	@	\$																			
Total VCCO Assessment \$ 100.00																					
Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)																					
Offense		Mandatory Penalty \$ _____																			
Offense Based Penalties																					
Penalty		Amount \$ _____																			
Other Fees and Penalties																					
Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3) ☒ \$ 30.00		Safe Neighborhoods Services Fund Assessment (N.J.S.A. 2C:43-3.2) ☒ 1 Offenses @ \$ 75.00 Total: \$ 75.00																			
Probation Supervision Fee (N.J.S.A. 2C:45-1d) ☐ \$ _____		Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6) ☐ _____ Offenses @ \$ _____ Total \$ _____																			
Transaction Fee (N.J.S.A. 2C:46-1.1) ☐ _____																					
Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4) ☐ \$ _____		Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7) ☐ \$ _____																			
Fine \$ _____		Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10) ☐ \$ _____																			
Restitution Joint & Several \$ _____ ☐		Total Financial Obligation \$ 205.00																			
☐ Entry of Civil Judgment for court-ordered financial assessment (N.J.S.A. 2C:52-5.2)																					
Details TOTAL FINES AND PENALTIES ARE TO BE PAID THROUGH THE DEPARTMENT OF CORRECTION.																					
Findings Per N.J.S.A. 2C:47-3																					
☐ The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior. ☐ The court finds that the defendant is amenable to sex offender treatment. ☐ The court finds that the defendant is willing to participate in sex offender treatment.																					
License Suspension																					
☐ CDS / Paraphernalia (N.J.S.A. 2C:35-16) ☐ Waived ☐ Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1) ☐ Eluding (N.J.S.A. 2C:29-2) ☐ Other																					
Number of Months		☐ Non-resident driving privileges revoked																			
Start Date		End Date																			
Details																					
Driver's License Number		Jurisdiction																			
If the court is unable to collect the license, complete the following: Defendant's Address																					
City		State	Zip																		
Date of Birth	Sex ☐ M ☐ F	Eye Color																			

Time Credits

[illegible]

Statement of Reasons - Include all applicable aggravating and mitigating factors

AGGRAVATING FACTORS

3. The risk that the defendant will commit another offense.

9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS

9. The character and attitude of the defendant indicate that he/she is unlikely to commit another offense.

14. The defendant was under 26 years of age at the time of the commission of the offense.

The court found the above aggravating factors.

The aggravating factors substantially outweigh the mitigating factors.

This was a plea agreement between the prosecutor and the defendant. It appears fair and in the interest of justice, and the court will impose the recommended sentence.

Attorney for Defendant at Sentencing MICHAEL WICKE	Public Defender ☐ Yes ☒ No
Prosecutor at Sentencing ANTHONY PUGLISI	Deputy Attorney General ☐ Yes ☒ No
Judge at Sentencing Christie Bevacqua, J.S.C.	
Judge (Signature) /s Christie Bevacqua, J.S.C.	Date 05/15/2025

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Continuation

ORIGINAL CHARGES (Cont.)

Ind / Acc / Complt	Count	Description	Statute	Degree
21-06-00645-I	6	POSS CDS/ANALOG - SCHD I II III IV	2C:35-10A(1)	3

SENTENCING STATEMENT (Cont.)

Counts 2, 3, 4, 5 and 6 are dismissed.

Count 1 AMENDED - The defendant is committed to the custody of the Commissioner of the Department of Corrections for a term of nine (9) years. Pursuant to NERA, the defendant must serve 85% of the maximum term before being eligible for parole and three (3) years of parole supervision.

Counts 2, 3, 4, 5 and 6 are dismissed.