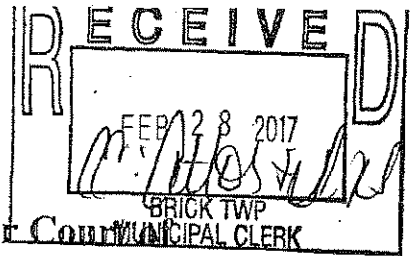


SUMMONS



Attorney(s) _____

Office Address _____

Town, State, Zip Code _____

Telephone Number _____

Attorney(s) for Plaintiff _____

Anthony Malacon
Plaintiff(s)

Vs.

Brick Township Police Dept
Defendant(s)

Superior Court
New Jersey

OCEAN COUNTY

LAW DIVISION

Docket No: L 3216-16

CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$135.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

/s/ Jennifer M. Perez

Clerk of the Superior Court

DATED: _____

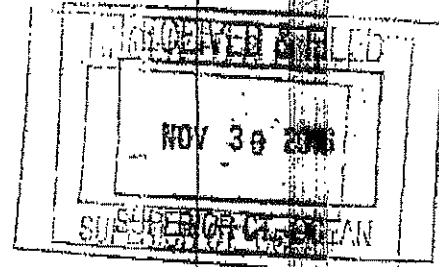
Name of Defendant to Be Served: Brick Township Police Dept

Address of Defendant to Be Served: 401 Chambers Bridge Brick 08723

Form A

Plaintiff or Filing Attorney Information:

Name Anthony Malacow #301795C/1017779
 NJ Attorney ID Number _____
 Address Talbot Hall 100-140 Lincoln Highway
Kearny New Jersey 07032
 Telephone Number (973) 589-1114



ANTHONY MALACOW

Plaintiff,

v.
 BRECK TOWNSHIP POLICE DEPARTMENT.
 PTL NIXON, SGT CATALINA K-9 DUKE
 # 915 Defendant(s).

Superior Court of New Jersey
 Civil Division Ocean County
 Part

Docket No: _____
 (to be filled in by the court)

Civil Action

Complaint

Plaintiff, Anthony Malacow, residing at
 (your name)

Talbot Hall 100-140 Lincoln Highway City of Kearny
 (your address) (your city or town)

County of Hudson
 (your county)

State Of New Jersey, complaining of defendant, states as follows:

1. On November, 2016, Breck Township Police Dept, Defendant
 (name of person being sued)

(Summarize what happened that resulted in your claim against the defendant. Use additional pages if necessary.)

A search for (my) Anthony Malacow ended in the backyard of 563 Francis Ave in Brick Township, New Jersey. There was a detached garage like structure that K-9 Duke tracked to, accompanied by Sgt Catalina, and Ptl Nixon. I was "observed" two feet and two legs from below the knee down sticking out from underneath the machine (see Attached)

The defendant in this action resides at Breck Township Police Department
 (defendant's address)

In the County of Ocean, State of New Jersey.
 (name of county where defendant lives)

2. Plaintiff is entitled to relief from defendant under the above facts.

Form A

3. The harm that occurred as a result of defendant's acts include: (list each item of damage and injury)

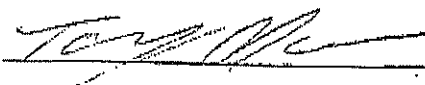
1. Significant Nerve damage, not to mention Physical scars.
Also severe Pain and Suffering of the actual attack.

2.

3.

Wherefore, plaintiff requests judgment against defendant for damages, together with attorney's fees, if applicable, costs of suit, and any other relief as the court may deem proper.

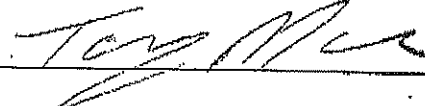
Dated: 11-26-16

Signature: 

CERTIFICATION OF NO OTHER ACTIONS

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending arbitration proceeding to the best of my knowledge and belief. Also, to the best of my knowledge and belief no other action or arbitration proceeding is contemplated. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Dated: 11-26-16

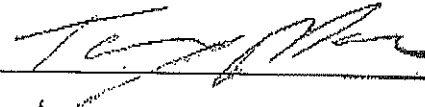
Signature: 

OPTIONAL: If you would like to have a judge decide your case, do not include the following paragraph in your complaint. If you would prefer to have a jury to decide your case, please sign your name after the following paragraph.

JURY DEMAND

The plaintiff demands trial by a jury on all of the triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

Dated: 11-26-16

Signature: 

**FORM TO BE USED BY A PRISONER IN FILING A
CIVIL RIGHTS COMPLAINT**

If your answer is "No," briefly explain why administrative remedies were not exhausted.

I AM CURRENTLY INCARCERATED AT TALBOT HALL THROUGH NJ DOC.
THIS IS MY FIRST CIVIL RIGHTS COMPLAINT.

6. Statement of Claims

(State here as briefly as possible the facts of your case. Describe how each defendant violated your rights, giving dates and places. If you do not specify how each defendant violated your rights and the date(s) and place of the violations, your complaint may be dismissed. Include also the names of other persons who are involved, including dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach a separate sheet if necessary.)

A SEARCH FOR (ME) ANTHONY MALABO ENDED IN THE BACKYARD OF 563 FRANCIS AVENUE, IN BRICK TOWNSHIP, NEW JERSEY. THERE WAS A DETACHED GARAGE LIKE STRUCTURE THAT K-9 NIXE TRACKED TO, ACCOMPANIED BY Sgt. CATARINA, AND Ptl. NIXON. I WAS "OBSERVED TWO FEET AND TWO ELBS FROM BELOW THE KNEE DOWN STICKING OUT FROM UNDERNEATH THE MACHINE FROM THE GARAGE DOOR." - INVESTIGATION REPORT. "THE SUSPECT DID NOT MOVE." - INVESTIGATION REPORT. Ptl. NIXON OBSERVED, AND DID NOT INTERVENE. Sgt. CATARINA MADE THE DECISION TO SEND THE DOG IN ON MY UNRESISTIVE PERSON. I WAS MOTIONLESS, HARMLESS, AND HELPLESS ON THE GROUND WHEN I WAS BITTEN. THE RESULTS OF THE ATTACK HAS GIVEN ME SIGNIFICANT NERVE DAMAGE. NOT TO MENTION PHYSICAL SCARS. THE LONG TERM DAMAGE THAT WAS INFLECTED IS IRREVERSIBLE. ALSO THE SEVERE IN AND SUFFERING OF THE ACTUAL ATTACK, AND THE PAIN AND PIERCING THAT INFLECTS ME WITH PAIN ON A DAILY BASIS.

OCEAN COUNTY SUPERIOR COURT
OCEAN COUNTY COURTHOUSE
CIVIL LAW DIVISION

FILED: 02/22/2017

COURT TELEPHONE NO. (732) 929-2016
COURT HOURS 8:30 AM - 4:30 PM

DATE: DECEMBER 09, 2016
RE: MALACON VS. ARCE - FORDSHIP FORDSHIP DRIVE
DOCKET: OCN L - 003216 15

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON CRAIG L. WELLSERSON

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (732) 929-4771 EXT 4771.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

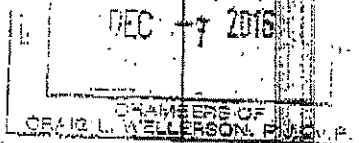
ATTENTION:

ANTHONY MALACON
3017956/1017799 TELECOM HALL
100-140 LINCOLN HWY-FARMONT
KENNY NJ 07032

JUDGERS

NAME: ANTHONY MALACOW
ADDRESS: Talbot Hall
100-140 Lincoln Avenue
Kearney NJ 07302

Ph. # xxx-xxx-xxxx



SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
OCEAN COUNTY

DOCKET NO.

43216-16

ANTHONY MALACOW

Plaintiff,

vs

)
) CIVIL ACTION
) FILING FEE ORDER

BRICK TOWNSHIP POLICE DEPARTMENT
Defendant.

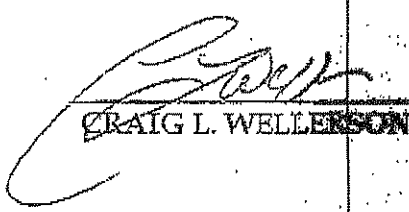
THIS MATTER HAVING COME before the court upon the request of James C. Walker Sr., and the affidavit of the same, and it appearing that he/she is a person with ~~out sufficient~~ means to file this action, it is hereby ORDERED that the request for waiver of fees and costs pursuant to Rule 1:13-2(a) is hereby:

GRANTED ☒

DENIED ☐

***It is further ORDERED that _____ shall pay to the Superior Court of New Jersey said fees waived from any recovery received as a result of this lawsuit and this order shall constitute a lien thereon.

This ORDER is granted for the limited purpose of filing fee waiver and no other purpose.


CRAIG L. WELLERSON, P.J. CIV.

NEW JERSEY JUDICIARY

DEC -7 2016

ANTHONY MALACOW

Plaintiff

FILING FEE WAIVER REQUEST

Based on Inability to Pay

VS.

BRICK TOWNSHIP POLICE DEPT

Defendant

RECEIVED & FILED

DEC 30 2016

Applicant's Name: Last <u>Malacow</u> First <u>Anthony</u>		Docket Number: <u>SUPERIOR CT., OCEAN</u>	
Home Address: Street <u>Talbot Hall 100-140 Lincoln Hwy</u> Apt No		Home Phone # ()	
City <u>Kearny</u>	State <u>NJ</u>	Zip <u>07302</u>	Number of Dependents

I, Anthony Malacow, am over the age of 18 and request no court fee be charged and am without funds to pay the fee. I am a (check one) ☒ Plaintiff ☐ Defendant in the following court:

☒ Civil ☐ Special Civil Part ☐ General Equity ☐ Probate ☐ Family

The following are facts about my financial condition. My income before taxes is:

Salary (per month): \$ <u>0.00</u>	Other Income (per month): \$ <u>0.00</u>
Specify source of other income, including six months of prisoners' account statements in accordance with N.J.S.A. 30:4-16.3 (per month):	

The following is a complete list of everything I own and owe, as far as I know:

Own	Amount \$	Owe (per month)	Amount \$
Money in any bank accounts	<u>0.00</u>	Rent/mortgage	<u>0.00</u>
Automobiles	<u>0.00</u>	Food	<u>0.00</u>
Real estate	<u>0.00</u>	Utilities	<u>0.00</u>
Insurance with cash value	<u>0.00</u>	Alimony/child support	<u>0.00</u>
Money owed to me	<u>0.00</u>	Auto payment	<u>0.00</u>
Other (specify)	<u>0.00</u>	Other (specify)	<u>0.00</u>
TOTALS	0.00	TOTALS	0.00

Please attach documents as to income (pay stubs, welfare documents, unemployment documents, last bank statement, etc.)

I certify the statements made by me in this document are true and that my proposed pleading is attached. I understand that if I give any false information, I may be punished by the court.

I am signing this statement to explain to the court why I am unable to pay any court fees in this lawsuit.
(Rule 1:13-2(a))

Fee Waived: ☒ Yes ☐ No

Signature (Applicant)

Anthony Malacow
(Print Name)

Date

11-26-16

Signature (Judge)

CRAIG L. WELLERSON, JAC

(Print Name)

Appendix XII-B1

CIVIL CASE INFORMATION STATEMENT (CIS)		FOI		FICE ONLY	
 Use for Initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: ☒ CC ☐ CG ☐ CA			
		CHG/CR NO.			
		AMOUNT:			
		OVERPAYMENT:			
		BATCH NUMBER:			
1. ATTORNEY / PRO SE NAME Anthony Malacow		2. TELEPHONE NUMBER		3. COUNTY OF VENUE Ocean	
4. FIRM NAME (if applicable)		5. DOCKET NUMBER (if known)		32-16-16	
6. OFFICE ADDRESS Talbot Hall 100-140 Lincoln Highway Kearny NJ 07032		7. DOCUMENT TYPE Complaint		8. JURY DEMAND ☒ YES ☐ NO	
9. NAME OF PARTY (e.g., John Doe, Plaintiff) Anthony Malacow		10. CAPTION Anthony Malacow v. Brick Township Police Department			
11. CASE TYPE NUMBER (See reverse side for listing) 605		12. HURRICANE SANDY RELATED? ☐ YES ☒ NO		13. IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.	
14. RELATED CASES PENDING? ☐ YES ☒ NO		15. IF YES, LIST DOCKET NUMBERS			
16. DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ NO		17. NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☒ NONE UNKNOWN			
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED IN					
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION					
18. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ YES ☒ NO		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☒ OTHER (specify) ☐ FAMILIAL ☐ BUSINESS			
19. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☒ YES ☐ NO					
20. USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT REMOVAL FROM MANAGEMENT OR ACCELERATED DISPOSITION RECEIVED NOV 30 2016					
21. DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ YES ☒ NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION			
22. WILL AN INTERPRETER BE NEEDED? ☐ YES ☒ NO		IF YES, FOR WHAT LANGUAGE?			
23. I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).					
24. ATTORNEY SIGNATURE:					



State of New Jersey Department of Corrections

"Protecting Public Safety by Changing Offender Behavior"

Commissioner
Gary M. Lanigan


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[Agriculture](#)

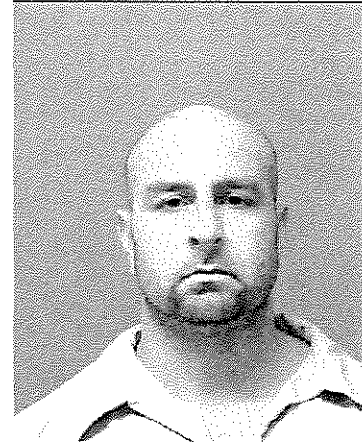
[Search the DOC](#)

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Offender Details:

[Printer Friendly Version](#)
Anthony J Malacow

SBI Number: 000301795C
Sentenced as: Malacow, Anthony J
Race: White
Ethnicity: White
Sex: Male
Hair Color: Shaved
Eye Color: Brown
Height: 5'6"
Weight: 200 lbs.
Birth Date: January 7, 1979
Admission Date: March 9, 2016
Current Facility: NSP
Current Max Release Date: July 1, 2020
Current Parole Eligibility Date: September 15, 2017


[Send money to this offender](#)

CURRENT PRISON SENTENCE

Offense	Offense Date	Sentence Date	County of Commitment	Commitment Order	Mandatory Minimum Term	Maximum Term
1 count of: #:UNK Unknown/Unspecified	January 26, 2016	August 5, 2016	Brick Township Municipal Court	E16-476-1506	None	10 Days
1 count of: 2C:18-2A*3 Burglary /3	January 26, 2016	August 5, 2016	Ocean	16-03-00588-I	None	6 Years
1 count of: 2C:29-2B*2 Resist Arrest-Elude: Op/MV-Create risk /2	January 11, 2016	August 5, 2016	Ocean	16-03-00468-I	None	6 Years
1 count of: 39:3-40 Driving When License Refused;Susp;Revok	January 11, 2016	August 5, 2016	Brick Township Municipal Court	E16-183-1506	None	10 Days
1 count of: 2C:20-11 Shoplifting	April 22, 2014	March 9, 2016	Ocean	OCN140701726I	None	5 Years
1 count of: 2C:20-11B(1)*4 Shoplifting:Take/carryAway \$200-500	July 7, 2013	March 9, 2016	Ocean	OCN130902399I	None	18 Months
1 count of: 2C:29-2B*3 Resist Arrest-Elude:While operating MV /3	July 7, 2013	March 9, 2016	Ocean	OCN130902399I	None	5 Years

INCARCERATION HISTORY

Date In Custody	Date Out of Custody	Aliases
March 9, 2016	Currently In Custody	Clites, Anthony Constantineau, Anthony Malacow, Anthony

ALIASES

[Previous](#) | [Back to list](#) | [Next](#)
[Modify search](#) | [New search](#)

Criteria Chosen:

Sex = M; Age Between 20 and 60; First Name = ANTHONY; Last Name = MALACOW; County(s) = Ocean;

Disclaimer:

The purpose of the Offender Search Web Page is to promote public safety and welfare while providing community access to selected offender information, consistent with the spirit and intent of the New Jersey Open Public Records Act (OPRA).

The New Jersey Department of Corrections updates this information on a biweekly basis to ensure that it is complete and accurate as possible. This information, however, may change quickly. In addition, it is noted that offenders on Work Release, Furlough, or in a Residential Community Program are visible to the public and these types of releases are not necessarily reflected in their profile. Therefore, the information on this site may not reflect the true current location, status, release date or other information regarding an offender.

It should also be noted that the records of offenders who have been paroled or released are not updated after they leave the custody of the correctional facility, therefore, no presumption should be made that any offender listed as paroled from a correctional facility remains under active parole supervision.

Furthermore certain offenders, at the discretion of the New Jersey Department of Corrections and other law enforcement agencies, may be excluded from the web site.

The New Jersey Department of Corrections Database was last updated on March 4, 2017. Visit restrictions change daily.

For questions concerning any offender information available on this WebPage, please contact: