

COMPLAINT - SUMMONS

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. NOEL MACHADO	
1312	S	2020	000028		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	ADDRESS:	
ENGLISHTOWN BORO MUNICIPAL CT 15 MAIN STREET ENGLISHTOWN NJ 07726-0000 732-446-4457 COUNTY OF: MONMOUTH				240 DUMONT AVE APT B BROOKLYN NY 11212-0000	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 20ET06855		DEFENDANT INFORMATION	
COMPLAINANT PTL K KWIECINSKI NAME: 15 N.MAIN ST ATTN: WARRANTS ENGLISHTOWN NJ 07726		SEX: M EYE COLOR: BROWN DOB: 01/19/1991 DRIVER'S LIC. # [REDACTED] DL STATE: NY SOCIAL SECURITY # [REDACTED] SBI #: 318326H TELEPHONE # [REDACTED] (c) LIVSCAN PCN #: 131201001490			

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 08/18/2020 in **ENGLISHTOWN BORO**, **MONMOUTH County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY, OBTAIN OR POSSESS A CONTROLLED DANGEROUS SUBSTANCE, OR A CONTROLLED SUBSTANCE ANALOG, THAT WAS NOT OBTAINED DIRECTLY FROM A PRACTITIONER, OR UNDER VALID PRESCRIPTION ISSUED BY A PRACTITIONER, SPECIFICALLY BY POSSESSING LOOSE GREEN VEGETATION IN A ZIPLOCK BAG, A PURPLE SEALED BAG CONTAINING LOOSE VEGETATION AND THREE PARTIAL HAND-ROLLED MARIJUANA CIGARETTES.

WITHIN THE JURISDICTION OF THIS COURT, KNOWINGLY OR PURPOSELY, USED OR POSSESSED WITH INTENT TO USE, DRUG PARAPHERNALIA TO INHALE A CONTROLLED DANGEROUS SUBSTANCE, OR A CONTROLLED SUBSTANCE ANALOG, SPECIFICALLY BY POSSESSING A THREE HAND-ROLLED MARIJUANA CIGARETTES AND PURPLE ZIPLOCK PACKAGING CONTAINING LOOSE VEGETATION.

WITHIN THE JURISDICTION OF THIS COURT, ATTEMPT TO COMMIT A CRIME IF, ACTING WITH
in violation of:

Original Charge	1) 2C:35-10A(4)	2) 2C:36-2	3) 2C:5-1A(1) 2C:20-3A
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: PTL K KWIECINSKI Date: 08/19/2020

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: **MONMOUTH**
at the following address: **MONMOUTH COUNTY COURTS**

71 MONUMENT PARK PO BOX 1271 FREEHOLD NJ 07728-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: 08/18/2020 Appearance Date: 09/15/2020 Time: 08:30AM Phone: 732-358-8700

Signature of Person Issuing Summons: PTL K KWIECINSKI Date: 08/19/2020

☐ Domestic Violence – Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
- ☐ No possession firearms/weapons
- ☐ Other (specify):

ORIGINAL

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STATE V.

NOEL MACHADO

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THE KIND OF CULPABILITY OTHERWISE REQUIRED FOR A COMMISSION OF THE CRIME, HE: PURPOSELY ENGAGING IN CONDUCT WHICH WOULD CONSTITUTE THE CRIME IF THE ATTENDANT CIRCUMSTANCES WERE AS A REASONABLE PERSON WOULD BELIEVE THEM TO BE SPECIFICALLY BY GOING TO SANTANDER BANK LOCATED AT 37 MAIN STREET IN ATTEMPTS TO DEFRAUD THE ATM MACHINE BY USING PREPAID NETSPEND VISA DEBIT CARDS TO WITHDRAW FUNDS.

WITHIN THE JURISDICTION OF THIS COURT, CONSPIRE WITH ANOTHER PERSON OR PERSONS TO COMMIT A CRIME IF WITH THE PURPOSE OF PROMOTING OR FACILITATING ITS COMMISSION HE: AGREES TO AID SUCH OTHER PERSON OR PERSONS IN THE PLANNING OR COMMISSION OF SUCH CRIME OR OF AN ATTEMPT OR SOLICITATION TO COMMIT SUCH CRIME SPECIFICALLY BY GOING TO SANTANDER BANK LOCATED AT 37 MAIN STREET IN ATTEMPTS TO DEFRAUD THE ATM MACHINE BY USING PREPAID NETSPEND VISA DEBIT CARDS TO WITHDRAW FUNDS.

Original Charge

4) 2C:5-2A(2)
2C:20-3A

Amended Charge

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Affidavit of Probable Cause

COMPLAINT NUMBER			
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ENGLISHTOWN BORO MUNICIPAL CT 15 MAIN STREET ENGLISHTOWN NJ 07726-0000 732-446-4457		COUNTY OF: MONMOUTH	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 20ET06855	
COMPLAINANT PTL K KWIECINSKI NAME: 15 N.MAIN ST ATTN:WARRANTS ENGLISHTOWN NJ 07726		DEFENDANT INFORMATION SEX: M EYE COLOR: BROWN DOB: 01/19/1991 DRIVER'S LIC. #. [REDACTED] DL STATE: NY SOCIAL SECURITY #: xxx-xx-[REDACTED] SBI #: 318326H TELEPHONE #: [REDACTED] (C) LIVESCAN PCN #: 131201001490	
ADDRESS: 240 DUMONT AVE APT B BROOKLYN NY 11212-0000			

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:
OFFICERS WERE INVESTIGATING SUSPICIOUS ACTIVITY FROM SURROUNDING TOWNS INVOLVING OUT-OF-STATE VEHICLES APPROACHING SANTANDER BANK LOCATIONS TO DEFRAUD THE ATM MACHINE. OFFICERS OBSERVED VEHICLES ENTER THE PARKING LOT WHILE THE BANK LOCATION WAS CLOSED AND FURTHER SPOKE WITH THE OCCUPANTS OF THE VEHICLES. WHILE DOING SO, OFFICERS DETECTED A STRONG ODOR OF MARIJUANA WITHIN THE VEHICLES AND OCCUPANTS PERSONS AND FURTHER CONDUCTED A SEARCH RECOVERING MARIJUANA, PARAPHERNALIA AND NETSPEND VISA CREDIT CARDS DURING THE SEARCH. ALL OCCUPANTS WERE ARRESTED AND SUBSEQUENTLY CHARGED.

Affidavit of Probable Cause

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THE STATE OF NEW JERSEY

VS.

NOEL MACHADO

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

OFFICERS OBSERVATION, INVESTIGATION AND VERBAL ADMISSION FROM A DEFENDANT

3. If victim was injured, provide the extent of the injury:

N/A

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: PTL K KWIECINSKI LAW ENFORCEMENT OFFICER

Date: 08/18/2020

Affidavit of Probable Cause

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. NOEL MACHADO	
1312	S	2020	000028		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
ENGLISHTOWN BORO MUNICIPAL CT 15 MAIN STREET ENGLISHTOWN NJ 07726-0000 732-446-4457 COUNTY OF: MONMOUTH				ADDRESS: 240 DUMONT AVE APT B BROOKLYN NY 11212-0000	
# of CHARGES 4	CO-DEFTS	POLICE CASE #: 20ET06855		DEFENDANT INFORMATION	
COMPLAINANT PTL K KWIECINSKI		SEX: M EYE COLOR: BROWN DOB: 01/19/1991		DRIVER'S LIC. #. [REDACTED] DL STATE: NY	
NAME: 15 N.MAIN ST		SOCIAL SECURITY # xxx-xx-[REDACTED] SBI #: 318326H		TELEPHONE #: [REDACTED] (C)	
ATTN: WARRANTS		LIVESCAN PCN #: 131201001490			
ENGLISHTOWN NJ 07726					

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The complaining officer personally observed the offense.
- Another law enforcement officer(s) personally observed the offense, List the officer(s) and their badge#
DSGT. DINICOLA #4
- The defendant made statements/admissions.
 - It was recorded using:
 - *Stationhouse interview room camera
- Physical evidence was seized/recovered:
 - Cash
 - CDS:
 - *Marijuana
 - Drug Paraphernalia
- The complaining officer/agency have reason to believe that the defendant is drug-dependent. Basis were:
 - Officer observation
- The case involves CDS and the evidence was recovered via:
 - Motor Vehicle Stop
- The case involves a consent search.
- The investigation involved the seizure of one or more cellphones, computers or similar electronic devices.
List the type of device(s) and total number of each recovered: 7 IPHONES, 1 SAMSUNG

Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: PTL K KWIECINSKI LAW ENFORCEMENT OFFICER Date: 08/18/2020