

COMPLAINT - WARRANT

19-5008

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1303	W	2019	002354	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	NYRHIGUE W SMITH	
ASBURY PARK MUNICIPAL COURT ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712-0000 732-775-1765 COUNTY OF: MONMOUTH				ADDRESS: 108 JUSTIN WAY MANALAPAN NJ 07726-0000	
# of CHARGES 6	CO-DEFTS	POLICE CASE #: 19AP38017		DEFENDANT INFORMATION	
COMPLAINANT TERRANCE MCGHEE NAME: ONE MUNICIPAL PLAZA ATTN RECORD BUREAU ASBURY PARK NJ 07712				SEX: M EYE COLOR: BROWN DOB: 07/27/1997 DRIVER'S LIC. #. SOCIAL SECURITY #: xxx-xx-x DL STATE: TELEPHONE #: () SBI #: 861753G LIVSCAN PCN #: 130304008330	
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 12/12/2019 in ASBURY PARK CITY, MONMOUTH County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY KNOWINGLY RECEIVING MOVEABLE PROPERTY BELONGING TO ROBERT WARD KNOWING IT WAS STOLEN, SPECIFICALLY A BLACK ZTE CELLPHONE.					
WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS IMITATION OF A CONTROLLED DANGEROUS SUBSTANCE TO WIT, CRACK COCAINE.					
WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY PACKAGE IMITATION OF A CONTROLLED DANGEROUS SUBSTANCE TO WIT, HEROIN.					
WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS IMITATION OF A CONTROLLED DANGEROUS SUBSTANCE TO WIT, CRACK COCAINE WITHIN 1000 FEET OF THE MARTIN LUTHER KING SCHOOL.					
in violation of:					
Original Charge	1) 2C:20-7A		2) 2C:35-11A(1)		3) 2C:35-11B
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: TERRANCE MCGHEE		Date: 12/13/2019			
You will be notified of your Central First Appearance/CJP date to be held at 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 Date of Arrest: 12/12/2019 Appearance Date: Time: Phone: 732-358-8700					
PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT					
☐ Probable cause IS NOT found for the issuance of this complaint.					
Signature of Court Administrator or Deputy Court Administrator		Date	Signature of Judge		Date
☒ Probable cause IS found for the issuance of this complaint. PATRICIA GREEN JUDICIAL OFFICER 12/13/2019 Signature and Title of Judicial Officer Issuing Warrant Date					
TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.					
Bail Amount Set: by: (if different from judicial officer that issued warrant)					
☐ 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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COMPLAINT - WARRANT

COMPLAINT NUMBER				STATE V. NYRHIGUE W SMITH
1303	W	2019	002354	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	
WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS AN IMITATION OF A CONTROLLED DANGEROUS SUBSTANCE TO WIT, CRACK COCAINE. WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS IMITATION OF A CONTROLLED DANGEROUS SUBSTANCE TO WIT, CRACK COCAINE WITH INTENT TO DISTRIBUTE WITHIN 500 FEET OF THE SPRINGWOOD AVENUE PARK.				
Original Charge	4) 2C:35-7A	5) 2C:35-5A(2)	6) 2C:35-7.1A	
Amended Charge				
			COMPLAINT - WARRANT	
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19-5008

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1303	W	2019	002355	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	NYRHQUE W SMITH	
ASBURY PARK MUNICIPAL COURT ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712-0000 732-775-1765 COUNTY OF: MONMOUTH				ADDRESS: 108 JUSTIN WAY MANALAPAN NJ 07726-0000	
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 19AP37850		DEFENDANT INFORMATION	
COMPLAINANT NAME: TERRANCE MCGHEE ONE MUNICIPAL PLAZA ATTN RECORD BUREAU ASBURY PARK NJ 07712				SEX: M EYE COLOR: BROWN DOB: 07/27/1997 DRIVER'S LIC. #. SOCIAL SECURITY #: xxx-xx-x SBI #: 861753G TELEPHONE #: () LIVSCAN PCN #: 130304008332	
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 12/09/2019 in ASBURY PARK CITY, MONMOUTH County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT ROBBERY BY THREATENING ROBERT WARD WITH OR PURPOSELY PUTTING ROBERT WARD IN FEAR OF IMMEDIATE BODILY INJURY IN THE COURSE OF COMMITTING A THEFT. WITHIN THE JURISDICTION OF THIS COURT, THE OFFENDER KNOWINGLY POSSESSED A HANDGUN TO WIT, A BLACK SEMI-AUTOMATIC HANDGUN, WITHOUT HAVING OBTAINED A PERMIT TO CARRY THE SAME UNDER 2C:58-4 WITHIN THE JURISDICTION OF THIS COURT, THE OFFENDER KNOWINGLY POSSESSED A FIREARM WITH THE PURPOSE TO USE IT UNLAWFULLY AGAINST PERSON OR PROPERTY OF ANOTHER, SPECIFICALLY BY ROBBING THE VICTIM ROBERT WARD AT GUNPOINT.					
in violation of:					
Original Charge	1) 2C:15-1A(2)		2) 2C:39-5B(1)		3) 2C:39-4.1C
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: <u>TERRANCE MCGHEE</u> Date: <u>12/13/2019</u>					
You will be notified of your Central First Appearance/CJP date to be held at 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 Date of Arrest: <u>12/10/2019</u> Appearance Date: _____ Time: _____ Phone: <u>732-358-8700</u>					
PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT					
☐ Probable cause IS NOT found for the issuance of this complaint.					
Signature of Court Administrator or Deputy Court Administrator _____ Date _____ Signature of Judge _____ Date _____					
☒ Probable cause IS found for the issuance of this complaint. PATRICIA GREEN JUDICIAL OFFICER <u>12/13/2019</u> Signature and Title of Judicial Officer Issuing Warrant Date TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT. Bail Amount Set: _____ by: _____ (if different from judicial officer that issued warrant)					
☐ 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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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

THE STATE OF NEW JERSEY :
Plaintiff, :
v. : Indictment No. 20-03-343
Case No. 19-5008
NYRHIGUE W. SMITH, :
Defendant. :

FIRST COUNT

ARMED ROBBERY

FIRST DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that NYRHIGUE W. SMITH, on or about December 9, 2019, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Armed Robbery, by, while in the course of committing a Theft, threatening R.W. with or purposely putting R.W. in fear of immediate bodily injury, and that in the course of committing said crime the defendant was armed with or threatened the immediate use of a deadly weapon, to wit: a handgun, contrary to the provisions of N.J.S.A. 2C:15-1, and against the peace of this State, the Government, and dignity of the same.

SECOND COUNT

UNLAWFUL POSSESSION OF A WEAPON

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that NYRHIGUE W.

SMITH, on or about December 9, 2019, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Unlawful Possession of a Weapon, by knowingly possessing a handgun, without first having obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5b, and against the peace of this State, the Government, and dignity of the same.

THIRD COUNT

POSSESSION OF IMITATION CONTROLLED DANGEROUS SUBSTANCE

WITH INTENT TO DISTRIBUTE

THIRD DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that NYRHIGUE W. SMITH, on or about December 9, 2019 and/or December 12, 2019, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Possession of Imitation Controlled Dangerous Substance With Intent To Distribute, by possessing or having under his control with intent to distribute, a substance which was not a controlled dangerous substance under circumstances which would lead a reasonable person to believe that the substance was a controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-11a(1), and against the peace of this State, the Government, and dignity of the same.

FOURTH COUNT

POSSESSION OF IMITATION CONTROLLED DANGEROUS SUBSTANCE

WITH INTENT TO DISTRIBUTE

THIRD DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that , NYRHIGUE W. SMITH, on or about December 9, 2019 and/or December 12, 2019, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Possession of Imitation Controlled Dangerous Substance With Intent To Distribute, by possessing or having under his control with intent to distribute, a substance which was not a controlled dangerous substance under circumstances which would lead a reasonable person to believe that the substance was a controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-11b, and against the peace of this State, the Government, and dignity of the same.

FIFTH COUNT

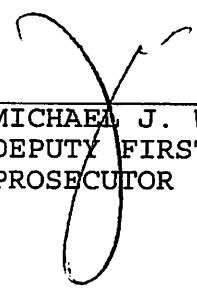
POSSESSION OF A FIREARM IN THE

COURSE OF COMMITTING A DRUG OFFENSE

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that NYRHIGUE W. SMITH, on or about December 9, 2019, in or about the City of Asbury Park, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Possession of a Firearm in the Course of Committing a Drug Offense, by possessing a firearm

while in the course of committing, attempting to commit, or conspiring to commit a violation of N.J.S.A. 2C:35-11, contrary to the provisions of N.J.S.A. 2C:39-4.1a and against the peace of this State, the Government, and dignity of the same.



MICHAEL J. WOJCIECHOWSKI
DEPUTY FIRST ASSISTANT
PROSECUTOR

Endorsed:

Foreperson