

Dorothy Hendrickson - Municipal Clerk

From: Denis P Kelly [dpk@gm-law.net]
Sent: Tuesday, June 14, 2016 4:29 PM
To: Jack Trotta
Cc: ronald dancer; Dorothy Hendrickson - Municipal Clerk
Subject: Re: Albert Richardson v. Brant Uricks & Plumsted Township, et, al.

Mayor Trotta.

This matter was settled in Mediation last week.

With out any admissions or further litigation the Joint Insurance Fund Authorized the settlement for approximately \$18,000 for all claims and dismissals.

I don't yet have a copy of the settlement agreement.

Denis P. Kelly, Esq.
Gilmore & Monahan, P.A.
10 Allen Street, 4th Floor
P.O. Box 1540
Toms River, NJ 08754-1540

732-240-6000 (telephone)
732-244-1840 (facsimile)
dpk@gm-law.net

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On Oct 22, 2015, at 2:33 PM, Denis P. Kelly, Esq. <dpk@gm-law.net> wrote:

Dorothy / Ron

This came up at the last meeting. A new complaint filed in early September. The Committee wanted a status. I can report back at the next meeting that our office was assigned by the JIF to represent the Township and Jared Monaco has already filed the Answer. The matter will now proceed to discovery.

Any questions please let me know.

Denis P. Kelly, Esq.



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QUAL-LYNX
100 DECADON DRIVE
EGG HARBOR TWP NJ 08234 3831

609-653-8400

OJF-PLUMSTED TOWNSHIP
121 EVERGREEN RD
NEW EGYPT NJ 08533

Claims Received
09/06/15 Thru 09/12/15
Printed: 09/13/15

ATT: CLAIMS DEPT.

Dear Sir/Madam:

Thank you for referring the following claims to our office for handling. Please rest assured that these claims will receive immediate attention. We ask that you review this list to confirm the accuracy of these claims.

Claimant	Claims #	Loss date	Type	Adjuster
GRANT, RAYMOND	Z25354 01	09/04/15	WC	MARISSA DEGREGO
RICHARDSON JR, ALB	Z25577 01	07/23/15	GL	LAURA SABLE
WHALEN, DEENA	Z25577 02	07/23/15	GL	LAURA SABLE
BRITT, MIRANDA	Z25577 03	07/23/15	GL	LAURA SABLE
KOLB, JESSE	Z25353 01	09/01/15	WC	MARISSA DEGREGO

When calling or corresponding with our office, please direct your inquiry to the adjuster listed above and provide the claim number to insure efficient service.

We appreciate the opportunity to serve you.

Sincerely,

QUAL-LYNX

Township of Plumsted

Jack A. Trotta, Mayor
Eric A. Sorchik, Deputy Mayor
Township Committee
Vincent Lotito
Herbert F. Marinari
Michael H. Wysong
www.plumsted.org



THE STATE'S CENTER

Municipal Offices
121 Evergreen Road
New Egypt, New Jersey 08533
609-758-2241
609-758-0123 (fax)
Public News Email:
<http://www.plumsted.net/subscribe.aspx>

FAX TRANSMITTAL SHEET

DATE:

9/21/15

TO:

Marissa Degregio / Qual. Lynx

FROM: Dorothy J. Hendrickson, RMC Municipal Clerk

FAX #:

926-9270

NUMBER OF PAGES INCLUDING COVER SHEET:

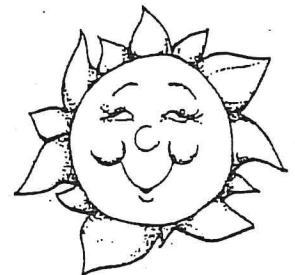
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MESSAGE

Please be advised that Raymond Grant Claim # Z25354 01 and Jesse Kalb Claim # Z25353 01 are Fire District employees. Please forward this information to them at Plumsted Imp. Fire District #1 59 Main Street, New Egypt NJ 08533

Thank you.
D. Hendrickson

IF YOU HAVE ANY QUESTIONS, PLEASE CALL 609-758-2241 EXT. 101
OR EMAIL municipalclerk@plumsted.org



PLUMSTED TWP POLICE
ARREST REPORT

Identification Number

1. Complaint Number I-2014-000350		2. Mun. Code 1523		3. Phone Number (609) 758-3738		4. UCR		5. Prosecutor's Case Number		6. Criminal Case Number									
7. Name Last RICHARDSON			First ALBERT			Middle			8. Phone		9. Alias-Nickname								
10. Full Address 20 HIGHLAND DR., BARNAGAT NJ 08005								11. Place of Birth		12. Date of Birth 11/03/1973									
13. Age 40		14. Sex M		15. Race BLACK		15(A). Ethnicity		16. Height		17. Weight lb		18. Hair		19. Eyes		20. Complexion		21. Marital Status	
22. Other Descriptive Information								22-A. FBI #		22-B. SBI #		23. Driver's License Number R40780177111735							
24. Employer / School								25. Occupation / Grade				26. Social Security Number							
27. Employer / School Address										28. Employer / School Phone									

DETAILS OF ARREST

29. Arrest Date 1/30/2014		30. Time 15:00		31. Location of Arrest PLUM RIDGE DRIVE, New Egypt NJ 08533				32. Municipal Code 1523		Warrant / Summons No.			
33. Crime						34. N.J.S. Statute		35. Arresting Officer DETECTIVE URICKS, BRANT 264					
36. Complainant's Name and Address										37. Phone Number			
38. Crime Date 1/30/2014		39. Time 15:00		40. Location of Crime PLUM RIDGE DRIVE, New Egypt NJ 08533								41. Municipal Code 1523	
42. Arrest Type ON P.C.		43. Juvenile Status		44. Code		45. Constitutional Rights - By Whom URICKS				46. How Responded YES			
47. Own		48. Multiple		49. Other		50. Printed YES		51. Photo YES		52. Prev. Rec.		53. UCR_A.S.R. Reported Month. Yr.	
54. Vehicle Information - VIN - Year - Make - Body Type - Color - Registration Number & State - Other Descriptive Information													

BAIL HEARING

55. Date		56. Court		57. Judge/Authorized Person	
58. Bail Amount		59. Results of Hearing		60. Code	
61. Place Committed/Detained					

FINAL RESULTS

62. Date		63. Court		64. Judge	
65. Verdict		66. Code		67. Disposition	
68. Date		69. Code			

JUVENILE INFORMATION

70. Parent/Guardian Contacted By		71. Date		72. Time		73. Released To		Relationship			
74. Full Address - Number - Street - City - State - Zip Code - Municipality						75. Date		76. Time		77. Phone Number	
78. Parent/Guardian		79. Full Address - Number - Street - City - State - Zip Code - Municipality								80. Phone Number	
81.-89. Narrative / Add'l Charges I (Det Brant Uricks#264) and Det Angelo Barbieri observed a vehicle pass our patrol vehicle on Plum Ridge Drive with tinted windows, and stopped the motor vehicle on Plum Ridge Drive in the area of Aimees way for the same. While at the window, I spoke to the driver of the Saturn, Albert Richarson, who was able to provide me with the necessary credentials for the vehicle. While at the window, I detected a strong odor of marijuana coming from the interior of the vehicle. I asked Mr Richardson if he had any marijuana in the vehicle, and he advised "no". I asked Mr Richardson to step out of the...											
Name: DETECTIVE URICKS, BRANT		91. Badge Number 264		92. Completed YES		93. Date of Report		94. Reviewed By CORPORAL MERONEY, EARL			
90. Signature											

PLUMSTED TWP POLICE

ARREST REPORT

Identification Number

1. Complaint Number I-2014-000350	2. Mun. Code 1523	3. Phone Number (609) 758-3738	4. UCR	5. Prosecutor's Case Number	6. Criminal Case Number
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vehicle and advised him that due to the odor that I believe that there may be marijuana inside the car, and asked if he would voluntarily give consent to search the vehicle. Mr Richardson very politely advised that he would not consent to the search, and I advised him that he could return to his vehicle.

I contacted Ocean County K-9 who was unavailable, and I was eventually contacted by Pemberton Twp K-9 handler Justin Kraig who was in the area. Ptl Kraig responded minutes later with K-9, and conducted a clean air sweep of the vehicle. I was advised by Ptl Kraig that his K-9 indicated on the vehicle and that he was able to positively identify the presence of narcotics.

At this time I advised Mr Richardson that we would be impounding the vehicle pending the application for a search warrant. Mr Richardson was read his rights after the positive K-9 indication, and then advised me on scene that he smoked marijuana inside the vehicle an hour or so prior, but that there was no marijuana inside the car. I advised him that because he did not allow a consent search, that we would now need to apply for a search warrant to confirm his statement. Mr Richardson was advised that I would be placing him under arrest for being under the influence of CDS as he admitted that he smoke just prior to driving the vehicle.

Mr Richardson was handcuffed, searched, and placed in the rear of vehicle 2302 for transport. Mr Richardson was escorted into the processing room of HQ and seated on the bench, being held securely. All weapons were secured in temporary weapons per policy, and he was processed and photographed for the charge.

A search warrant was completed and submitted to AP Meighan, who approved the warrant and its submission to Judge Murray of Plumsted Township. After the warrant was signed, the vehicle, which had been sealed with evidence tape to ensure that no persons could enter the vehicle until court authorized to do so, was removed from the doors and windows. All seals were unbroken when inspected. Inside the vehicle Det Barbieri and I observed marijuana particle flakes or "shake" and a very small burnt rolled tobacco product that smelled like burnt marijuana. I inspected the burnt item and could not see any burnt or unburnt marijuana, and it appeared that the item had been used until the last of the marijuana had been consumed. Due to the trace amounts of marijuana inside the vehicle, no items were removed for evidentiary value.

I spoke to Mr Richardson in the interview room and advised him of the findings. He advised again that he smoked the "Roach" that we located inside the vehicle, but that he did not have any more marijuana on his person. He also advised that the other two females, Miranda Britt and Deena Whalen, who were released on scene did not have anything on their persons. I advised Mr Richardson that he could be charged with possession of marijuana for the trace amounts inside the vehicle, all though the courts have dropped most of the complaints filed for trace amounts in the past. Mr Richardson advised that he would pick up the vehicle the following day and would not smoke marijuana before coming to operate the vehicle.

A special complaint was issued against Mr Richardson for being under the influence of CDS per his own admission. He was released without bail on the disorderly persons offense pending court.

*Mayor Brel adm / O Kelly / DL
Qual Lyr*

Law Office of Ronald J. Brandmayr, Jr.
4400 Route 9 S.
Suite 1000
Freehold, New Jersey 07728
(732) 409-5195
Attorney for Plaintiffs

ALBERT RICHARDSON JR.,	)	SUPERIOR COURT OF NEW JERSEY
DEENA WHALEN and	)	OCEAN COUNTY:
MIRANDA BRITT,	)	LAW DIVISION
PLAINTIFFS;	)	
	)	Docket No.
V.	)	
	)	CIVIL ACTION
BRANT URICKS, PLUMSTED	)	
TOWNSHIP and JOHN DOES 1-5,	)	SUMMONS
DEFENDANTS.	)	

From The State of New Jersey To Det. Brant Uricks

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/pro se/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 \$175.00 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.

RECEIVED

SEP 08 2015

PLUMSTED TOWNSHIP
POLICE DEPARTMENT

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.

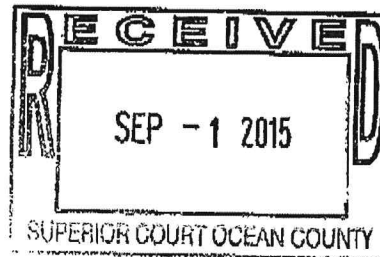
Scott M. Colabella

Clerk of the Superior Court

DATED: 9/1/2015

Name of Defendant to Be Served: **Det. Brant Uricks**
Address of Defendant to Be Served: **121 Evergreen Rd., Plumsted, NJ 08533**

Law Office of Ronald J. Brandmayr, Jr.
4400 Route 9 S.
Suite 1000
Freehold, New Jersey 07728
(732) 409-5195
Attorney for Plaintiffs



ALBERT RICHARDSON JR.,
DEENA WHALEN and
MIRANDA BRITT,
PLAINTIFFS;

V.

BRANT URICKS, PLUMSTED
TOWNSHIP and JOHN DOES 1-5,
DEFENDANTS.

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY:
LAW DIVISION

Docket No.

CIVIL ACTION

COMPLAINT

PLAINTIFFS, each residing at 5 Locust Lane, New Egypt, in Ocean County New Jersey, by way of Complaint against the Defendants, Brant Uricks, Plumsted Township and John Does 1-5, fictitious names of unidentified parties, state as follows:

PARTIES

1. Plaintiffs Albert Richardson, Jr., age 40; Deena Whalen, age 45; and Miranda Britt, age 20; are private citizens and residents of New Jersey. Miranda is Deena's daughter.
2. Brant Uricks is a detective employed by Plumsted Township. Plumsted Township is an incorporated township in Ocean County, in the state of New Jersey.

FACTS

3. On or about January 29, 2014 Albert Richardson, Jr. was operating a motor vehicle in Plumsted Township. Deena Whalen and Miranda Britt, were passengers in said vehicle. Ms. Britt was 38 weeks pregnant at the time.

4. Det. Brant Uricks initiated an illegal motor vehicle stop predicated on tinted windows. Uricks approached the driver's side window and without any legal justification asked Richardson if he had been smoking marijuana or if there is any marijuana in the vehicle. In fact no marijuana had been smoked in that vehicle, nor was any such drug in the car. Richardson told Uricks that he had not smoked marijuana and there was no marijuana in the car.

5. Without a reasonable suspicion or any legal justification, Uricks then proceeded on an illegal practice commonly known as a "fishing expedition" for criminal activity. He asked Richardson for permission to search the car. When Richardson refused, Brants said he would get a K-9 unit (police dog) to sniff the vehicle for drugs. When Richardson continued to assert his Constitutional rights, a K-9 unit was brought to the scene.

6. The dog sniffed the vehicle. The vehicle was then impounded and Richardson was placed under arrest. Passengers Whalen and Britt were detained at the scene of the stop one hour and were left to find transportation home.

7. A search of the vehicle produced no evidence of contraband. Uricks' supposed suspicions were a sham and false pretext for the illegal search and arrest. Richardson was detained at the Plumsted police station for seven (7) hours. He was never asked to submit to a field sobriety test, blood alcohol test, or drug intoxication evaluation, nor were any such tests administered. He was not asked to give a urine sample. Yet, despite the complete lack of evidence of any criminal offense, motor vehicle offense, or any wrongdoing, Richardson was charged with driving while intoxicated, in violation of N.J.S. 39:4-50. When Richardson protested his innocence, Uricks told him, "Talk to me when you get to court".

8. Richardson was summoned to the Plumsted Municipal Court on at least three occasions. Each time the case was adjourned for unexplained reasons. During one court appearance, a new charge of possession CDS in a motor vehicle, a violation of N.J.S. 39:4-49.1, was made against him, despite a complete lack of evidence.

9. In April of 2015 Richardson hired the undersigned attorney to represent him on the charges. A court date was set for July 1, 2015. The attorney submitted a formal request for discovery, but none was provided. As the court date approached the attorney made several requests to the Plumsted police for discovery. The attorney was advised that the discovery was not yet available and the court date would need to be postponed again. A new date was set for July 23, 2015. The attorney continued to press for the discovery via phone calls, but, still, none was produced.

10. Finally, on July 23, 2015, before the judge and in the presence of the parties, the prosecutor moved for a dismissal, stating on the record that the discovery had been "destroyed".

11. On subsequent investigation it was learned that Detective Uricks had not met the minimum qualifications for detective in Plumsted Township, lacking a requisite bachelor's degree.

COUNT ONE

FALSE ARREST

12. Plaintiffs repeat and assert the allegations contained in the prior paragraphs of the Complaint as though set forth at length herein.

13. Defendant Uricks falsely arrested Plaintiff Richardson and falsely detained Plaintiffs Whalen and Britt knowing he had no evidence of wrongdoing, in violation of the New Jersey State Constitution, Article 1, Sec. 7. Plaintiffs suffered loss of liberty,

embarrassment and humiliation, and emotional distress. Plaintiffs Whalen and Britt were left stranded at the scene to find a way home. Britt, who was close to giving birth, suffered extreme discomfort and duress and was wantonly placed in medical danger due to her condition.

WHEREFORE, Plaintiffs demand Judgment on this Count against Defendants jointly and severally for the damages suffered, plus compensatory damages, exemplary damages, punitive damages, attorney's fees and costs of suit, and all such other relief as the Court deems just.

COUNT TWO

IMPROPER PROMOTION OF POLICE OFFICER

14. Plaintiffs repeat and assert the allegations contained in the prior paragraphs of the Complaint as though set forth at length herein.

15. Defendant Plumsted Township knowingly and negligently promoted Defendant Uricks to the rank of detective, despite the knowledge that he lacked the minimum requirements for serving as a police officer in the township.

WHEREFORE, Plaintiffs demand Judgment on this Count against Defendants jointly and severally for the damages suffered, plus compensatory damages, exemplary damages, punitive damages, attorney's fees and costs of suit, and all such other relief as the Court deems just.

COUNT THREE

RESPONDEAT SUPERIOR

16. Plaintiffs repeat and assert the allegations contained in the prior paragraphs of the Complaint as though set forth at length herein.

17. Defendant Plumsted Township is liable for the willful and negligent acts of

its employee, Defendant Uricks per the principle of *respondeat superior*.

RONALD J. BRANDMAYR, JR.
Attorney for Plaintiffs

By:


Ronald J. Brandmayr, Jr.

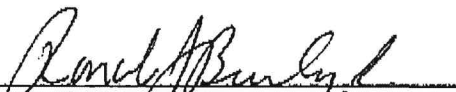
Dated: September 1, 2015

CERTIFICATION PURSUANT TO R. 4:5-1

The undersigned attorney hereby certifies that the within controversy is not the subject of any other action pending in any court or arbitration proceeding, there is no other action or arbitration proceeding contemplated, and there are no other parties who should be joined in this action at this time.

RONALD J. BRANDMAYR, JR.
Attorney for Plaintiffs

By:


Ronald J. Brandmayr, Jr.

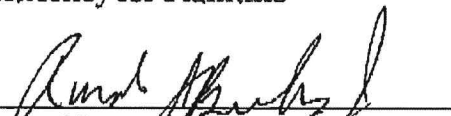
Dated: September 1, 2015

DESIGNATION OF TRIAL COUNSEL

Please take notice that pursuant to R. 4:25-4, Ronald J. Brandmayr, Jr. is hereby designated trial counsel.

RONALD J. BRANDMAYR, JR.
Attorney for Plaintiffs

By:


Ronald J. Brandmayr, Jr.

Dated: September 1, 2015

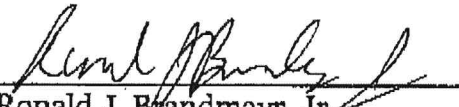
JURY DEMAND

Plaintiffs demand trial by jury of all triable issues in this Complaint per R.

1:8-2(b) and R. 4:35-1(a)

RONALD J. BRANDMAYR, JR.
Attorney for Plaintiffs

By:


Ronald J. Brandmayr, Jr.

Dated: September 1, 2015