

SUMMONS AND RETURN OF SERVICE

1621



THE SUPERIOR COURT OF NEW JERSEY

Law Division, Special Civil Part

SUMMONS

YOU ARE BEING SUED!

IF YOU WANT THE COURT TO HEAR YOUR SIDE OF THIS LAWSUIT, YOU MUST FILE A WRITTEN ANSWER WITH THE COURT WITHIN 35 DAYS OR THE COURT MAY RULE AGAINST YOU. READ ALL OF THIS PAGE AND THE NEXT PAGE FOR DETAILS.

In the attached complaint, the person suing you (who is called *the plaintiff*) briefly tells the court his or her version of the facts of the case and how much money he or she claims you owe. You are cautioned that if you do not answer the complaint, you may lose the case automatically, and the court may give the plaintiff what the plaintiff is asking for, plus interest and court costs. If a judgment is entered against you, a Special Civil Part Officer may seize your money, wages or personal property to pay all or part of the judgment and the judgment is valid for 20 years.

You can do one or more of the following things:

1. *Answer the complaint.* An answer form is available at the Office of the Clerk of the Special Civil Part. The answer form shows you how to respond in writing to the claims stated in the complaint. If you decide to answer, you must send it to the court's address on page 2 and pay a \$30 filing fee with your answer and send a copy of the answer to the plaintiff's lawyer or to the plaintiff if the plaintiff does not have a lawyer. Both of these steps must be done within 35 days (including weekends) from the date you were "served" (sent the complaint). That date is noted on the next page.

AND/OR

2. *Resolve the dispute.* You may wish to contact the plaintiff's lawyer, or the plaintiff if the plaintiff does not have a lawyer, to resolve this dispute. You do not have to do this unless you want to. This may avoid the entry of a judgment and the plaintiff may agree to accept payment arrangements, which is something that cannot be forced by the court. Negotiating with the plaintiff or the plaintiff's attorney will not stop the 35-day period for filing an answer unless a written agreement is reached and filed with the court.

AND/OR

3. *Get a lawyer.* If you cannot afford to pay for a lawyer, free legal advice may be available by contacting Legal Services at 973-285-6911. If you can afford to pay a lawyer but do not know one, you may call the Lawyer Referral Services of your local county Bar Association at 973-267-5882.

If you need an interpreter or an accommodation for a disability, you must notify the court immediately.

La traducción al español se encuentra al dorso de esta página.

SPECIAL CIVIL PART SUMMONS AND RETURN OF SERVICE – FORM B

Plaintiff or Plaintiff's Attorney Information:

Name:

ALBERT N. SEDGES

Address:

69 MOUNTAIN VIEW AVE MOUNT
ARLINGTON N.J. 07856

Telephone No.: _____

ALBERT N. SEDGES

_____, Plaintiff(s)

versus

JAMES DISTASIO

_____, Defendant(s)

Demand Amount: \$ \$15,000.00

Filing Fee: \$ \$182.00

Service Fee: \$ _____

Attorney's Fees: \$ \$0.00

TOTAL \$ _____

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, SPECIAL CIVIL PART
MORRIS ☒ COUNTY

Docket No: DC-001621-15
(to be provided by the court)

Civil Action
SUMMONS

(Check one): ☐ Contract or ☐ Tort

Defendant(s) Information: Name, Address & Phone:

JAMES DISTASIO 520 ALTENBRAND AVE MOUNT ARLINGTON N. J. 07856 973-398-2100 (THIS IS HIS
WORK ADDRESS) C/O MOUNT ARLINGTON POLICE DEPT.

RETURN OF SERVICE (For Court Use Only)

Date Served: 03/10/2015

RETURN OF SERVICE IF SERVED BY COURT OFFICER

Docket Number _____

Date: _____ Time: _____ WM _____ WF _____ BM _____ BF _____ OTHER _____

HT _____ WT _____ AGE _____ HAIR _____ MUSTACHE _____ BEARD _____ GLASSES _____

NAME: _____ RELATIONSHIP: _____

Description of Premises _____

I hereby certify the above to be true and accurate:

Special Civil Part Officer

Special Civil Part Complaint – Form A

Superior Court Of New Jersey
Law Division, Special Civil Part

ALBERT N. SEDGES

Plaintiff's Name

Morris

☒ County

69 MOUNTAIN VIEW AVE

Street Address

Docket No. DC-001621-15

MOUNT ARLINGTON N.J. 07856

Town, State, Zip Code

(862) 432-6419

Telephone Number

vs.

JAMES DISTASIO

Defendant's Name (Person you are suing)

C/O MOUNT ARLINGTON POLICE DEPT.

520 AL TENBRAND AVE (WORK ADDRESS)

Street Address

MOUNT ARLINGTON N.J. 07856

Town, State, Zip Code

(973) 398-2100

Telephone Number

CIVIL ACTION

Complaint

RECEIVED & FILED
SUPERIOR COURT
2015 MAR - 9 1 A M
MORRIS COUNTY
CIVIL DIVISION

Type or print the reasons you, the Plaintiff(s), are suing the Defendant(s): (See instruction B)
TRESPASSING AND PEERING IN MY WINDOWS AND DOOR JAMES DISTASIO BREACHED
MY PROPERTY BY SCALING MY GATE AND FENCE NOWINGLY AND WILLINGLY WITH
GROSS NEGLIGENCE AND WITH RECKLESS DISREGARD TO MY CURTILAGE RIGHTS OF
PRIVACY

(You may attach more sheets if you need to)

The amount you, the Plaintiff(s) are demanding from the Defendant(s) \$ 15,000.00 plus interest and
\$ 187.00 for the costs of suing.

JURY DEMAN REQUESTED

At the trial Plaintiff will need:

An interpreter

☐ Yes

☒ No

Indicate Language: _____

An accommodation for disability

☐ Yes

☒ No

Indicate Disability: _____

I certify that the matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in this action.

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).

03/09/2015

Date

Albert N. Sedges
Your Signature

ALBERT N. SEDGES

Name Typed, Stamped or Printed

INSTRUCTIONS FOR COMPUTING FILING FEE
(Plaintiff's Filing Fees Form) (Step 4)

Complaint Filing Fee: Amount claimed is \$3,000 or less - \$50 or Amount claimed is over \$3,000 but less than \$15,000 - \$75	\$ <u>75.00</u>
Each Additional Defendant: If you are suing more than one person or company \$5 for each additional defendant	<u>0</u> x \$5 = \$ <u>0.00</u> total additional defendants
Mail Service Fee: \$7 for each defendant	<u>1</u> x \$7 = \$ <u>7.00</u> total mail service fees
Jury Trial Fee: If you request a jury trial by six jurors - \$100	\$ <u>100.00</u>
Total:	\$ <u>182.00</u>



**BOROUGH OF MOUNT ARLINGTON
OPEN PUBLIC RECORDS ACT REQUEST FORM**

**419 Howard Boulevard
Mount Arlington, NJ 07856**
Linda DeSantis
ldesantis@mtarlingtonboro.com
973-398-6832 Ext. 112 – Fax 973-398-8662
Beth Dwyer
bdwyer@mtarlingtonboro.com
973-398-6832 Ext. 125 – Fax 973-398-8662



Important Notice

The last page of this form contains important information related to your rights concerning government records. Please read it carefully.

Requestor Information – Please Print

First Name	ALBERT	MI	N	Last Name	SEDGES
E-mail Address	SEDGES1@YAHOO.COM				
Mailing Address	69 MOUNTAINVIEW AVE				
City	MOUNT ARLINGTON	State	N.J.	Zip	07856
Telephone	862-432-6419	FAX			
Preferred Delivery:	Pick Up ☒	US Mail	On-Site Inspect	Fax	E-mail
If you are requesting records containing personal information, please circle one: Under penalty of N.J.S.A. 2C:28-3, I certify that I <u>HAVE</u> HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.					
Signature				Date	12/22/2014

Payment Information

Maximum Authorization Cost \$	
Select Payment Method	
Cash	Check Money Order
Fees:	Letter size pages - \$0.05 per page Legal size pages - \$0.07 per page Other materials (CD, DVD, etc) – actual cost of material
Delivery:	Delivery / postage fees additional depending upon delivery type.
Extras:	Special service charge dependent upon request.

Record Request Information: Please be as specific as possible in describing the records being requested. Also, please note that your preferred method of delivery will only be accommodated if the custodian has the technological means and the integrity of the records will not be jeopardized by such method of delivery.

HOME ADDRESS OF SGT JAMES DISTASIO FOR DOCUMENTATION AND SERVING OF A CIVIL COMPLAINT PURPOSE OF PENDING LITIGATION IN SUPERIOR COURT

Send your letter/complaint to:

MT. ARLINGTON POLICE DEPARTMENT
520 ALTENBRAND AVE.
MT. ARLINGTON, NJ 07856

ATT: James Distasio

1. All government records are subject to public access under the Open Public Records Act ("OPRA"), unless specifically exempt.
2. A request for access to a government record under OPRA must be in writing, hand-delivered, mailed, transmitted electronically, or otherwise conveyed to the appropriate custodian. N.J.S.A. 47:1A-5.g. The seven (7) business day response time does not commence until the records custodian receives the request form. If you submit the request form to any other officer or employee of the *Name of Agency*, that officer or employee must either forward the request to the appropriate custodian, or direct you to the appropriate custodian. N.J.S.A. 47:1A-5.h.
3. Requestors may submit requests anonymously. If you elect not to provide a name, address, or telephone number, or other means of contact, the custodian is not required to respond until you reappear before the custodian seeking a response to the original request.
4. The fees for duplication of a government record in printed form are listed on the front of this form. We will notify you of any special service charges or other additional charges authorized by State law or regulation before processing your request. Payment shall be made by cash, check or money order payable to the *Name of Agency*.
5. **You may be charged a 50% or other deposit when a request for copies exceeds \$25.** The *Name of Agency* custodian will contact you and advise you of any deposit requirements. You agree to pay the balance due upon delivery of the records. Anonymous requests in excess of \$5.00 require a deposit of 100% of estimated fees.
6. Under OPRA, a custodian must deny access to a person who has been convicted of an indictable offense in New Jersey, any other state, or the United States, and who is seeking government records containing personal information pertaining to the person's victim or the victim's family. This includes anonymous requests for said information.
7. By law, the *Name of Agency* must notify you that it grants or denies a request for access to government records within seven (7) business days after the agency custodian of records receives the request. If the record requested is not currently available or is in storage, the custodian will advise you within seven (7) business days after receipt of the request when the record can be made available and the estimated cost for reproduction.
8. You may be denied access to a government record if your request would substantially disrupt agency operations and the custodian is unable to reach a reasonable solution with you.
9. If the *Name of Agency* is unable to comply with your request for access to a government record, the custodian will indicate the reasons for denial on the request form or other written correspondence and send you a signed and dated copy.
10. Except as otherwise provided by law or by agreement with the requester, if the agency custodian of records fails to respond to you within seven (7) business days of receiving a request, the failure to respond is a deemed denial of your request.
11. If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the *Name of Agency* to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at PO Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.
12. Information provided on this form may be subject to disclosure under the Open Public Records Act.

BOROUGH OF MT. ARLINGTON
DEPARTMENT OF POLICE
520 ALTENBRAND AVE.
MT. ARLINGTON, NEW JERSEY 07856
TELEPHONE 973-398-2100
FACSIMILE 973-398-6816

PUBLIC RECORDS REQUEST RESPONSE

TO: Albert S. Sedgwick

☐ Document (s) provided _____ pages at a total cost of _____

☒ Document (s) not provided: (see below)

The document or documents listed below and requested by you are not being provided because the document or documents are not Public Records as provided by law, as noted below:

Privileged or Protected Category

- ☐ Autopsy Reports
- ☐ Child Abuse or sex assault name or address
- ☐ Court Records Sealed
- ☐ Computer security information
- ☐ Criminal investigatory records
- ☐ Credit Card Numbers
- ☐ Grand Jury testimony, information
- ☐ Grievance information with public employer
- ☐ Domestic Violence data
- ☐ Drivers' license numbers
- ☐ DYFS information
- ☐ Electronic Surveillance Materials
- ☐ Emergency or security information or procedures
- ☐ Employee sexual harassment complaints
- ☐ Fingerprint cards
- ☐ Inter-agency or intra-agency advisory communications
- ☐ Juvenile Records
- ☐ Labor Negotiations information
- ☐ Medical Examiners Photographs
- ☒ Otherwise inappropriate material
- ☒ Pension or personnel records
- ☐ Photographs
- ☐ Pre Sentence Investigations
- ☐ Public Agency Insurance communications
- ☐ Safety of persons or public
- ☐ Security measures and surveillance techniques
- ☐ Social Security Numbers
- ☐ Unlisted Telephone Numbers
- ☐ Victim location (Domestic Violence)
- ☐ Victim records
- ☐ Record has been destroyed / not retained

Authority

- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 2A:82-46b
- Executive Order 69
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- Court Rule 3:6-7
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 2C:25-33
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 9:6-8.10
- N.J.S.A. 2A:156A-19
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- Executive Order 69
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 2A: 4A-60
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- Executive Order 69
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq., Executive Order 69
- State v. DeGeorge, 113 NJ Super 542 (App. Div. 1971)
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq., Executive Order 69
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 47:1A-1.1, et seq.
- N.J.S.A. 2C: 25-26c
- N.J.S.A. 47:1A-1.1, et seq.
- Records Retention and Disposition Schedule
- (N.J. Dept. of State, Division of Archives Mgmt.)

☐ Other

You have a right to appeal the decision that the document or documents are not Public Records. You may take your appeal to the Public Records Council or to the New Jersey Superior Court as provided by N.J.S.A. 47:1A-6 and 7.

Date 12/29/2014

[Signature]
Mt. Arlington Police Department

ACKNOWLEDGEMENT

I hereby acknowledge that I have received the documents requested except for any documents specifically listed above on which a determination has been made that the documents will not be provided. If any documents have not been provided, I have received information on this form as to the procedures for any appeal of the determination.

X Date 1/9/2015

X [Signature]
Applicant's Signature