

Diana Weiss

From: Avalon Zoppo <AZoppo2@njadvancemedia.com>
Sent: Monday, November 11, 2019 7:57 AM
To: OPRA
Subject: NJ.com/Star-Ledger records request

November 11, 2019

Dear Custodian of Records:

This is a request for information pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law right of citizens of the state to obtain access to public documents. (South Jersey Publishing Co. v. New Jersey Expressway Auth., 124 N.J. 478, 487-89 [1991]). Please note that this letter contains the statutory requirements for a written OPRA request and I am not required to fill out an official form. (Renna v. County of Union, 407 N.J. Super. 230 [App. Div. 2009]).

The documents I seek:

—The complaint warrant, preliminary law enforcement report and affidavit of probable cause in the arrest of John Ozbilgen on Nov. 8, 2019.

The reasons offered by a custodian for denying access to a document must be specific. (Communications Workers of America v. McCormac, 417 N.J. Super. 412, 442 [2008])

Under penalty of NJSA 2C:28-3, I certify that I HAVE NOT been convicted of any indictable offense.

Avalon Zoppo | Breaking News Reporter

NJ Advance Media

485 US-1, Iselin, NJ, 08830

p: 732-236-9202

e: azoppo2@njadvancemedia.com

Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 14, 2019 10:34 AM
To: 'Avalon Zoppo'
Subject: RE: NJ.com/Star-Ledger records request
Attachments: John Ozbilgen complaint_Redacted.pdf

See attached. DL and SS redacted.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Avalon Zoppo <AZoppo2@njadvancemedia.com>
Sent: Monday, November 11, 2019 7:57 AM
To: OPRA <opra@mcponj.org>
Subject: NJ.com/Star-Ledger records request

November 11, 2019

Dear Custodian of Records:

This is a request for information pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq., and the common law right of citizens of the state to obtain access to public documents. (*South Jersey Publishing Co. v. New Jersey Expressway Auth.*, 124 N.J. 478, 487-89 [1991]). Please note that this letter contains the statutory requirements for a written OPRA request and I am not required to fill out an official form. (*Renna v. County of Union*, 407 N.J. Super. 230 [App. Div. 2009]).

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Under penalty of NJSA 2C:28-3, I certify that I HAVE NOT been convicted of any indictable offense.

Avalon Zoppo | Breaking News Reporter
NJ Advance Media
485 US-1, Iselin, NJ, 08830

Jennifer Lipp

From: Jennifer Lipp
Sent: Tuesday, November 12, 2019 3:11 PM
To: 'ASK NJ Media Co.'
Subject: RE: OPRA request - OPRA Request Responses
Attachments: FW_ Emailing_ OPRA1371-19 (10.3.19).pdf; OPRA 1453-19 and 1454-19.pdf

First email - Miller's requests/responses Second coming - Wronko's requests/responses

-----Original Message-----

From: ASK NJ Media Co. <opra+request-7857-7bed7359@requests.opramachine.com>
Sent: Friday, November 1, 2019 3:32 PM
To: OPRA <opra@mcponj.org>
Subject: OPRA request - OPRA Request Responses

Dear Monmouth County Prosecutor's Office,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

A copy of the response that was sent to Matthew T. Miller's OPRA request dated 10-2-19.

A copy of the response that was sent to Matthew T. Miller's OPRA request dated 10-19-19.

A copy of the response that was sent to Steven Wronko's OPRA request dated 5-5-19.

Jennifer Lipp

From: Jennifer Lipp
Sent: Tuesday, November 12, 2019 3:11 PM
To: 'ASK NJ Media Co.'
Subject: RE: OPRA request - OPRA Request Responses
Attachments: Wronko Emails 1.pdf; Wronko emails 2.pdf; Wronko emails 3.pdf

Second email. Wronko.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: ASK NJ Media Co. <opra+request-7857-7bed7359@requests.opramachine.com>
Sent: Friday, November 1, 2019 3:32 PM
To: OPRA <opra@mcponj.org>
Subject: OPRA request - OPRA Request Responses

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Records requested:

A copy of the response that was sent to Matthew T. Miller's OPRA request dated 10-2-19.

A copy of the response that was sent to Matthew T. Miller's OPRA request dated 10-19-19.

Diana Weiss

From: ASK NJ Media Co. <opra+request-7857-7bed7359@requests.opramachine.com>
Sent: Friday, November 01, 2019 3:32 PM
To: OPRA
Subject: OPRA request - OPRA Request Responses

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A copy of the response that was sent to Matthew T. Miller's OPRA request dated 10-19-19.

A copy of the response that was sent to Steven Wronko's OPRA request dated 5-5-19.

Yours faithfully,

ASK NJ Media Co.

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-7857-7bed7359@requests.opramachine.com

Is opra@mcponj.org the wrong address for OPRA requests to Monmouth County Prosecutor's Office? If so, please contact us using this form:

https://opramachine.com/change_request/new?body=monmouth_county_prosecutors_office

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

<https://opramachine.com/help/officers>

View this OPRA request & responses online:

https://opramachine.com/request/opra_request_responses

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

Jennifer Lipp

From: Jennifer Lipp
Sent: Tuesday, November 12, 2019 3:20 PM
To: '008@008investigations.com'
Subject: OPRA Request dated 11/1/19

You requested information regarding Ivo Allen from 1991 and 1992. His files were destroyed. We cannot provide any information.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

* ATTN: OPRA CUSTODIAN OF RECORDS *



OFFICE OF THE COUNTY PROSECUTOR COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Public Record Request Form

Requestor Information (Optional)*

Name: Robert DelVacchio

Address: PO Box 5341, Toms River, NJ 08754

Telephone Number: (732) 575-7392 Email: 008@008investigations.com

Check one:

☒ I have **NOT** been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature: [Signature]

Date of Request: 11-19

Description of Record(s) Requested:

Please provide information on the following subject: Ivo Allen, dob: 11/26/1963 and/or 11/26/1964, reference 2 criminal investigations during the years 1991 and 1992 for 2C:21-5, Bad Checks, Money Orders, or Electronic Funds.

1: According to public promis gavel records: Offense date: 6/12/1991, CDR# S593720 1343 and issued 8/6/1991. Case # 91003851. Case was remanding to municipal court/downgrade.

2: According to public promis gavel records: Offense date: 11/1/1991, CDR# S730830 1317 and issued 1/29/1992. County Case #: 92000296. Case was remanded to municipal court/downgrade.

Thank you
Bob DelVacchio

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

Fee**: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.
All checks payable to the County of Monmouth.

Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 14, 2019 10:33 AM
To: 'Sergio Bichao'
Subject: RE: OPRA request - Monmouth County Prosecutor's Office -
Attachments: John Ozbilgen complaint_Redacted.pdf

See attached. DL and SS redacted.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Sergio Bichao <Sergio.Bichao@townsquaremedia.com>
Sent: Saturday, November 9, 2019 5:39 PM
To: OPRA <opra@mcponj.org>
Subject: OPRA request - Monmouth County Prosecutor's Office -

John D. Ozbilgen

Nov. 9, 2019

Re: Request for Documents

Dear Custodian of Records:

This is a request for information pursuant to the Open Public Records Act, N.J.S.A. 47:1A-1 et seq. As a journalist seeking to further the public interest, I also make this request under the common law right of citizens of the state to obtain access to public documents. (South Jersey Publishing Co. v. New Jersey Expressway Auth., 124 N.J. 478, 487-89 [1991]). Please note that this letter contains the statutory requirements for a written OPRA request and I am not required to fill out an official form. (Renna v. County of Union, 407 N.J. Super. 230 [App. Div. 2009]).

The documents I seek:

— Criminal complaints and affidavits of probable cause against John Ozbilgen in connection to Nov. 8, 2019, arrest.

I prefer delivery of records by email. If that is not possible, please contact me to schedule a time for an on-site inspection of documents or to arrange for payment and delivery. Access to electronic records shall be provided free of charge. (N.J.S.A. 47:1A-5[b])

Diana Weiss

From: Sergio Bichao <Sergio.Bichao@townsquaremedia.com>
Sent: Saturday, November 09, 2019 5:39 PM
To: OPRA
Subject: OPRA request - Monmouth County Prosecutor's Office -

John D. Ozbilgen

Nov. 9, 2019

Re: Request for Documents

Dear Custodian of Records:

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The reasons offered by a custodian for denying access to a document must be specific. (Communications Workers of America v. McCormac, 417 N.J. Super. 412, 442 [2008])

Under penalty of NJSA 2C:28-3, I certify that I HAVE NOT been convicted of any indictable offense.

Sergio Bichao
Deputy Digital Editor NJ1015.com
Townsquare Media
New Jersey 101.5

Phone: 609-359-5348
[Twitter.com/sbichao](https://twitter.com/sbichao)
[Facebook.com/sergio.bichao](https://facebook.com/sergio.bichao)

Jennifer Lipp

From: Priscilla Johnson <priscprisci@yahoo.com>
Sent: Friday, November 15, 2019 5:08 PM
To: Jennifer Lipp
Subject: Re: OPRA request

Doug Johnson works in the Monmouth County Prosecutors Office. It is my right to make an OPRA request for that information and to receive the correct information back. Doug Johnson is a detective in the Monmouth County Prosecutors office. It is my right to have this information. This response is just more severe violence inflicted on me by the Monmouth cOuntY Prosecutors Office in cover up of the severe violence the people that I went to within the monmouth county prosecutors office to make complaint to and to pursue help from, the violent way and extreme dismissiveness of my complaints and request for help. The violence and refusal to acknowledge my rights and proclaiming that your office will burry me in legal proceedings and statements made by Brazile, Mahoney, Perez that the monmouth county prosecutors office will never help me and that I have to make a judge force the monmoth county prosecutors office to help me.

On Tuesday, November 12, 2019, 03:33:46 PM EST, Jennifer Lipp <jlipp@mcponj.org> wrote:

This office has no record as to why Doug Johnson did not call you.

Monmouth County Prosecutor's Office

132 Jerseyville Avenue

Freehold, NJ 07728

From: Priscilla Johnson <priscprisci@yahoo.com>
Sent: Saturday, November 9, 2019 9:36 AM
To: OPRA <opra@mcponj.org>
Subject: OPRA request

Priscilla Johnson

618 Fletcher Drive

Jennifer Lipp

From: Jennifer Lipp
Sent: Friday, November 15, 2019 4:28 PM
To: 'Dustin Racioppi'
Subject: RE: New OPRA request
Attachments: 1_ZETRON_PH_2_2019_11_05_03_46_34_by_Start_Time_desc.wav

BTW, 2_Zetron is the beginning of the call. This is the second part of the call.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 8, 2019 4:16 PM
To: OPRA <opra@mcponj.org>
Subject: New OPRA request

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

Jennifer Lipp

From: Jennifer Lipp
Sent: Friday, November 15, 2019 4:27 PM
To: 'Dustin Racioppi'
Subject: RE: New OPRA request
Attachments: 2_ZETRON_PH_2_2019_11_05_03_45_31_by_Start_Time_descREDACTED.wav

Caller's name and address redacted to protect his/her identity.

Second part of the call coming in second email.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 8, 2019 4:16 PM
To: OPRA <opra@mcponj.org>
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Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 14, 2019 10:10 AM
To: 'Dustin Racioppi'
Subject: RE: New OPRA request
Attachments: Shakeen Watson aff of PC.pdf

Affidavit of probable cause attached.

We have not received any radio transmissions or CAD from the local police department.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 8, 2019 4:16 PM
To: OPRA <opra@mcponj.org>
Subject: New OPRA request

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 14, 2019 10:07 AM
To: 'Dustin Racioppi'
Subject: RE: New OPRA request
Attachments: Shakeem Watson arrest report_Redacted.pdf

Arrest report attached. SS# and DL# redacted.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 8, 2019 4:16 PM
To: OPRA <opra@mcponj.org>
Subject: New OPRA request

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 14, 2019 10:06 AM
To: 'Dustin Racioppi'
Subject: RE: New OPRA request
Attachments: Shakeen Watson complaint_Redacted.pdf

Complaint attached. Defendant's SS# is redacted.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

-----Original Message-----

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 8, 2019 4:16 PM
To: OPRA <opra@mcponj.org>
Subject: New OPRA request

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

Diana Weiss

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Friday, November 08, 2019 4:16 PM
To: OPRA
Subject: New OPRA request
Attachments: Sunset shooting - MCPO.pdf

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

Diana Weiss

From: Dustin Racioppi <daracioppi@gmail.com>
Sent: Wednesday, November 13, 2019 4:27 PM
To: OPRA
Subject: Re: New OPRA request

Hello. I'm writing to follow up on this request. At least a portion of it, the "No. 1" request, should have been provided by now. Please let me know the cause for delay and when I can expect these records.

Thank you.

Dustin Racioppi
732-513-7780

On Fri, Nov 8, 2019 at 4:15 PM Dustin Racioppi <daracioppi@gmail.com> wrote:

Good afternoon. Please see the attached OPRA request. I have not been convicted of an indictable offense. Any questions or concerns, call me at 732-513-7780 or email me at daracioppi@gmail.com

--
Dustin Racioppi
732.513.7780
daracioppi@gmail.com

Under the Open Public Records Act, the common law and N.J.S.A. 47:1A-3(b), I request electronic copies of the following: (1) All information related to the Nov. 5, 2019 shooting investigation on Sunset Avenue, Ocean Township, including defendant's name, age, residence, occupation, marital status and similar background information; the text of any charges such as the complaint, accusation and indictment; the identity of the investigating and arresting personnel and agency and the length of the investigation; the circumstances immediately surrounding the arrest, including but not limited to the time and place of the arrest, resistance, if any, pursuit, possession and nature and use of weapons and ammunition by the suspect and by the police; and information as to circumstances surrounding bail, whether it was posted and the amount thereof. (2) All Computer Aided Dispatch system reports related to the Nov. 5, 2019 shooting on Sunset Avenue, Ocean Township. (3) All 911 calls and radio transmissions related to the Nov. 5, 2019 shooting on Sunset Avenue, Ocean Township.

If there are portions of a record(s) which must be redacted, please identify the record that has been redacted and the legal basis for your contention that the redacted portion(s) is exempt from disclosure under OPRA. If a record(s), in its entirety, is exempt from disclosure under OPRA, kindly notify me, in writing, of the exemption under OPRA upon which you are relying. I reserve the right to appeal any decision to withhold any information and/or to dispute fees charged. Because such information must be made readily available, I anticipate receiving it as soon as possible but, in no event, later than the seven business days required by law. Please release the information for the "No. 1" request within 24 hours. If you cannot make the requested documents available to me within that statutory timeframe, kindly let me know, in writing, when I can expect the documents and the reason for the delay. You may contact me at 732-513-7780. Thank you for your prompt attention to this matter.

Jennifer Lipp

From: Jennifer Lipp
Sent: Monday, November 18, 2019 4:35 PM
To: 'Priscilla Johnson'
Subject: RE: OPRA request

This office does not have access to video of the front walk of Neptune Township Police Department. We cannot provide that to you.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Priscilla Johnson <priscprisci@yahoo.com>
Sent: Saturday, November 16, 2019 9:23 AM
To: OPRA <opra@mcponj.org>
Subject: OPRA request

Priscilla Johnson
618 Fletcher Drive
Neptune, New Jersey

I am requesting a copy of the video in the front walk in area of the Neptune Township police Department from yesterday November 16 and November 1.

I am being treated violently and abusively and continuously abusiveness of accusing me of things I am not doing and violently accusing me and treating me as a schizophrenic by Neptune township internal affairs and law enforcement.

Diana Weiss

From: Priscilla Johnson <priscprisci@yahoo.com>
Sent: Saturday, November 16, 2019 9:23 AM
To: OPRA
Subject: OPRA request

Priscilla Johnson
618 Fletcher Drive
Neptune, New Jersey

I am requesting a copy of the video in the front walk in area of the Neptune Township police Department from yesterday November 16 and November 1.

I am being treated violently and abusively and continuously abusiveness of accusing me of things I am not doing and violently accusing me and treating me as a schizophrenic by Neptune township internal affairs and law enforcement.

Jennifer Lipp

From: Jennifer Lipp
Sent: Monday, November 18, 2019 1:43 PM
To: 'candace.selyagordon@redfin.com'
Cc: ryan.smith@redfin.com
Subject: RE: 104 Zilinski Dr, Belford

You have the wrong county office. This is the prosecutor's office. We don't handle permits. You may wish to contact the County Clerk's Office. We cannot provide any records.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Candace Selya-Gordon <candace.selyagordon@redfin.com>
Sent: Monday, November 18, 2019 12:44 PM
To: OPRA <opra@mcponj.org>
Cc: ryan.smith@redfin.com
Subject: 104 Zilinski Dr, Belford

Good Afternoon,
Please see attached OPRA request for above referenced property in Monmouth County.
Thank you,
Candace

CANDACE SELYA-GORDON | REDFIN | COORDINATOR
candace.selyagordon@redfin.com | Tel: 484-531-2610 | Fax: 610-628-2478 | License #: RS344299

IMPORTANT NOTICE: Redfin will NEVER email you wire instructions. [Find more tips related to wire fraud here.](#)

Diana Weiss

From: Candace Selya-Gordon <candace.selyagordon@redfin.com>
Sent: Monday, November 18, 2019 12:44 PM
To: OPRA
Cc: ryan.smith@redfin.com
Subject: 104 Zilinski Dr, Belford
Attachments: OPRA Req. 104 Zilinsky.pdf

Good Afternoon,
Please see attached OPRA request for above referenced property in Monmouth County.
Thank you,
Candace

CANDACE SELYA-GORDON | REDFIN | COORDINATOR
candace.selyagordon@redfin.com | [Tel:484-531-2610](tel:484-531-2610) | Fax: 610-628-2478 | License #: RS344299

IMPORTANT NOTICE: Redfin will NEVER email you wire instructions. [Find more tips related to wire fraud here.](#)

**MONMOUTH COUNTY**

OPEN PUBLIC RECORDS ACT REQUEST FORM
Hall of Records, One East Main Street, Freehold, NJ 07728
Records Custodian: Marion Masnick, Clerk of the Board
to the Monmouth County Board of Chosen Freeholders
Marion.Masnick@co.monmouth.nj.us

Telephone 732-431-7387
Fax 732-431-6519

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 Candace MI Last Name Selya-Gordon
E-mail Address candace.selyagordon@redfin.com
Mailing Address 993 Old Eagle School Rd.
City Wayne State PA Zip 19087
Telephone (484) 531-2610 FAX
Preferred Delivery: Pick Up US Mail On-Site Inspect Fax E-mail X
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 HAVE / HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.
Signature Candace Selya-Gordon Date 11/18/2019

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
CD & DVD - \$1.00 per disc
Other materials - 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.

Requesting ALL permits open and closed within the last 20 Years for construction, plumbing, and electrical for transfer or sale for 104 Zilinsky Drive Belford, New Jersey 07718.

Please send information to candace.selyagordon@redfin.com or ryan.smith@redfin.com

Thank you!

AGENCY USE ONLY

Est. Document Cost
Est. Delivery Cost
Est. Extras Cost
Total Est. Cost
Deposit Amount
Estimated Balance

Deposit Date

AGENCY USE ONLY

Disposition Notes
Custodian: If any part of request cannot be delivered in seven business days, detail reasons here.

In Progress - Open
Denied - Closed
Filled - Closed
Partial - Closed

AGENCY USE ONLY**Tracking Information**

Tracking # Total Rec'd
Date Deposit
Ready Date Balance Due
Total Pages Balance Paid

Records Provided

Custodian Signature

Date

DEPOSITS

The custodian may require a deposit against costs for reproducing documents sought through an anonymous request whenever the custodian anticipates that the documents requested will cost in excess of \$5 to reproduce.

Where a special service charge is warranted under OPRA, that amount will be communicated to you as required under the statute. You have the opportunity to review and object to the charge prior to it being incurred. If, however, you approve of the fact and amount of the special service charge, you may be required to pay a deposit or pay in full prior to reproduction of the documents.

YOUR REQUEST FOR RECORDS IS DENIED FOR THE FOLLOWING REASON(S):

(To be completed by the Custodian of Records – check the box of the numbered exemption(s) as they apply to the records requested. If multiple records are requested, be specific as to which exemption(s) apply to each record. **Response is due to requestor as soon as possible, but no later than seven business days.**)

N.J.S.A. 47:1A-1.1

- ☐ Inter-agency or intra-agency advisory, consultative or deliberative material
- ☐ Legislative records
- ☐ Law enforcement records:
 - ☐ Medical examiner photos
 - ☐ Criminal investigatory records (however, N.J.S.A. 47:1A-3.b. lists specific criminal investigatory information which must be disclosed)
 - ☐ Victims' records
- ☐ Trade secrets and proprietary commercial or financial information
- ☐ Any record within the attorney-client privilege
- ☐ Administrative or technical information regarding computer hardware, software and networks which, if disclosed would jeopardize computer security
- ☐ Emergency or security information or procedures for any buildings or facility which, if disclosed, would jeopardize security of the building or facility or persons therein
- ☐ Security measures and surveillance techniques which, if disclosed, would create a risk to the safety or persons, property, electronic data or software
- ☐ Information which, if disclosed, would give an advantage to competitors or bidders
- ☐ Information generated by or on behalf of public employers or public employees in connection with:
 - ☐ Any sexual harassment complaint filed with a public employer
 - ☐ Any grievance filed by or against an employee
 - ☐ Collective negotiations documents and statements of strategy or negotiating
- ☐ Information that is a communication between a public agency and its insurance carrier, administrative service organization or risk management office
- ☐ Information that is to be kept confidential pursuant to court order
- ☐ Certificate of honorable discharge issued by the United States government (Form DD-214) filed with a public agency
- ☐ Social security numbers
- ☐ Credit card numbers
- ☐ Unlisted telephone numbers
- ☐ Drivers' license numbers
- ☐ Certain records of higher education institutions:
 - ☐ Research records
 - ☐ Questions or scores for exam for employment or academics
 - ☐ Charitable contribution information
 - ☐ Rare book collections gifted for limited access
 - ☐ Admission applications
 - ☐ Student records, grievances or disciplinary proceedings revealing a students' identification
- ☐ Biotechnology trade secrets N.J.S.A. 47:1A-1.2
- ☐ Convicts requesting their victims' records N.J.S.A. 47:1A-2.2
- ☐ Ongoing investigations of non-law enforcement agencies (must prove disclosure is inimical to the public interest) N.J.S.A. 47:1A-3.a.
- ☐ Public defender records N.J.S.A. 47:1A-5.k.
- ☐ Upholds exemptions contained in other State or federal statutes and regulations, Executive Orders, Rules of Court, and privileges created by State Constitution, statute, court rule or judicial case law N.J.S.A. 47:1A-9
- ☐ Personnel and pension records (however, the following information must be disclosed:
 - An individual's name, title, position, salary, payroll record, length of service, date of separation and the reason for such separation, and the amount and type of any pension received
 - When required to be disclosed by another law, when disclosure is essential to the performance of official duties of a person duly authorized by this State or the US, or when authorized by an individual in interest
 - Data contained in information which disclose conformity with specific experiential, educational or medical qualifications required for government employment or for receipt of a public pension, but not including any detailed medical or psychological information N.J.S.A. 47:1A-10

N.J.S.A. 47:1A-1

- ☐ "a public agency has a responsibility and an obligation to safeguard from public access a citizen's personal information with which it has been entrusted when disclosure thereof would violate the citizen's reasonable expectation of privacy."

Burnett v. County of Bergen, 198 N.J. 408 (2009). Without ambiguity, the court held that the privacy provision "is neither a preface nor a preamble." Rather, "the very language expressed in the privacy clause reveals its substantive nature; it does not offer reasons why OPRA was adopted, as preambles typically do; instead, it focuses on the law's implementation." "Specifically, it imposes an obligation on public agencies to protect against disclosure of personal information which would run contrary to reasonable privacy interests."

Executive Order No. 21 (McGreevey 2002)

- ☒ Records where inspection, examination or copying would substantially interfere with the State's ability to protect and defend the State and its citizens against acts of sabotage or terrorism, or which, if disclosed, would materially increase the risk or consequences of potential acts of sabotage or terrorism.
- ☒ Records exempted from disclosure by State agencies' proposed rules.

Executive Order No. 26 (McGreevey 2002)

- ☒ Certain records maintained by the Office of the Governor
- ☒ Resumes, applications for employment or other information concerning job applicants while a recruitment search is ongoing
- ☒ Records of complaints and investigations undertaken pursuant to the Model Procedures for Internal Complaints Alleging Discrimination, Harassment or Hostile Environments
- ☒ Information relating to medical, psychiatric or psychological history, diagnosis, treatment or evaluation
- ☒ Information in a personal income or other tax return
- ☒ Information describing a natural person's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness, except as otherwise required by law to be disclosed
- ☒ Test questions, scoring keys and other examination data pertaining to the administration of an examination for public employment or licensing
- ☒ Records in the possession of another department (including NJ Office of Information Technology or State Archives) when those records are made confidential by regulation or EO 9.

Other Exemption(s) contained in a State statute, resolution of either or both Houses of the Legislature, regulation, Executive Order, Rules of Court, any federal law, federal regulation or federal order pursuant to N.J.S.A. 47:1A-9.a.
(Please provide detailed information regarding the exemption from disclosure for which you are relying to deny access to government records. If multiple records are requested, be specific as to which exemption(s) apply to each record.)

REQUEST FOR RECORDS UNDER THE COMMON LAW

If, in addition to requesting records under OPRA, you are also requesting the government records under the common law, please check the box below.

A public record under the common law is one required by law to be kept, or necessary to be kept in the discharge of a duty imposed by law, or directed by law to serve as a memorial and evidence of something written, said, or done, or a written memorial made by a public officer authorized to perform that function, or a writing filed in a public office. The elements essential to constitute a public record are that it be a written memorial, that it be made by a public officer, and that the officer be authorized by law to make it.

☐ Yes, I am also requesting the documents under common law.

If the information requested is a "public record" under common law and the requestor has a legally recognized interest in the subject matter contained in the material, then the material must be disclosed if the individual's right of access outweighs the State's interest in preventing disclosure.

Please set forth your interest in the subject matter contained in the requested material:

Real estate listing

Note that any challenge to a denial of a request for records under the common law cannot be made to the Government Records Council, as the Government Records Council only has jurisdiction to adjudicate challenges to denials of OPRA requests. A challenge to the denial of access under the common law can be made by filing an action in Superior Court.

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 County of Monmouth, 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 County of Monmouth.
5. You may be charged a 50% or other deposit when a request for copies exceeds \$25. The County of Monmouth 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 County of Monmouth 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 County of Monmouth 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 County of Monmouth 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.

Jennifer Lipp

From: Jennifer Lipp
Sent: Monday, November 18, 2019 4:29 PM
To: 'Carol3214@optonline.net'
Subject: RE: Matthew Badmaev, Promis #16-003858-001
Attachments: Matthew Badmaev.pdf

Attached is the judgment of conviction and complaints you requested. This office's file has since been destroyed. We do not have a copy of his plea papers. No pre-sentence report was ordered in this case.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Carol A. Barrett <Carol3214@optonline.net>
Sent: Friday, November 8, 2019 11:24 AM
To: OPRA <opra@mcponj.org>
Subject: Matthew Badmaev, Promis #16-003858-001

Attached please find our OPRA request for our client, Matthew Badmaev

Carol A. Barrett
For Ronald P. Mondello, P.C.
Ph. (201) 703-9400
Fax (201) 703-9430



OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Public Record Request Form

Requestor Information (Optional)*

Name: RONALD P. MONDELLO

Address: 0-100 27th St., Fair Lawn, NJ 07410

Telephone Number: (201) 703-9400

Check one:

☒ I have **NOT** been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature: [Signature] Date of Request: 11-08-2019

Description of Record(s) Requested:

Original charging documents

Plea Forms

Indictment

Pre-sentence report

For Matthew Badmaev, Promis #16-003858-001, (S-2016-000398-1307 and S-2016-000399-1307)

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.

All checks payable to the County of Monmouth.



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Fee**: _____

2.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.
All checks payable to the County of Monmouth.

____ Unable to provide requested material

____ Request Denied

Reason:

The records 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

Authority

- ☐ Autopsy Reports
- ☐ Child abuse or sex assault victim 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 Negotiation information, strategy or positions
- ☐ Medical Examiner Photographs
- ☐ Otherwise inappropriate material
- ☐ Pension and 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 locations (Domestic Violence)
- ☐ Victim records

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.; Exec. 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.; Exec. 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.

Other

- ☐ Record has been destroyed/not retained pursuant to:
- ☐ Other

Records Retention and Disposition Schedule
(NJ Dept. of State, Div. of Archives Mgmt.)

CUSTODIAN'S SIGNATURE: _____

Date: _____

Procedure for Submission:

Members of the public who are requesting copies of records are encouraged to complete this Request for Public Records form. Renna v. County of Union, 407 N.J. Super. 230 (App. Div. 2009). The form or other written request must be placed in an envelope addressed to:

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Attn: OPRA Custodian of Records

and either mailed or taken directly to the Prosecutor's Office. This office also accepts requests by fax when clearly addressed to the attention of the "OPRA Custodian of Records." This office accepts requests by email **ONLY** at the following address: opra@mcponj.org. See Paff v. City of East Orange, 407 N.J. Super. 221, 227-28 (App. Div.), certif. denied, 200 N.J. 476 (2009). When a request is received by email, a confirmation of receipt will be sent in reply; until and unless a reply confirmation is received, requestors should not assume their email request was received by the records custodian. Ibid. Requests sent to other email addresses and/or not addressed to the OPRA Custodian of Records may not be received by the Custodian.

A Right to Discovery is Separate and Distinct from a Right to Access Public Records.

OPRA is a public disclosure statute and is **not** intended to replace or supplement the discovery of private litigants. Constantine v. Township of Bass River, 406 N.J. Super. 305, 324-25 (App. Div. 2009), certif. denied, 200 N.J. 208 (2009); MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 545-46 (App. Div. 2005). Requests for discovery of materials that are not public government records should be made in accordance with the applicable Court Rules.

Procedure for Filing an Appeal.

A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may:

Institute a proceeding to challenge the custodian's decision by filing an action in Monmouth County Superior Court which shall be heard by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records;

Or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established in subsection 8 of P.L.2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

Jennifer Lipp

From: Jennifer Lipp
Sent: Tuesday, November 19, 2019 12:28 PM
To: 'Erin Rubas'
Subject: RE: OPRA/COMMON LAW REQUEST
Attachments: Erin Rubas - list of detectives hired 2016 2017.pdf; Detectives hired 2016-2017.pdf

Please see attached.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Erin Rubas <erin.rubas@gmail.com>
Sent: Sunday, November 17, 2019 3:21 PM
To: OPRA <opra@mcponj.org>
Cc: burns097@yahoo.com
Subject: OPRA/COMMON LAW REQUEST

To whom it may concern,

Please find attached an OPRA/Common Law Right of Access Request.

Thanks,
Erin P. Rubas
106 Lakewood Road
Manasquan, New Jersey 08736



**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Public Record Request Form

Requestor Information (Optional)*

Name: Erin P. Rubas

Address: 106 Lakewood Road, Manasquan, NJ 08736

Telephone Number: (732) 616-0601

Check one:

☒ I have **NOT** been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature: *Erin P. Rubas* Date of Request: November 10, 2019

Description of Record(s) Requested:

This is a request for records pursuant to the Open Public Records Act and the Common Law Right of Access to Public Documents. Please accept this email requesting the following records required to be produced pursuant to the exceptions contained in N.J.S.A. 47:1A-10:

REQUEST:

For all detectives hired by the Monmouth County Prosecutor's Office from October 1, 2016 through June 30, 2017, please provide the following information: a) the detective's name; b) title; c) salary; d) hire date; e) length of service; and f) if applicable, date of separation from government service and the reason therefor.

Please provide response via email to Erin.Rubas@gmail.com

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

Fee**: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

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Reason:

The records 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

Authority

- ☐ Autopsy Reports
- ☐ Child abuse or sex assault victim 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 Negotiation information, strategy or positions
- ☐ Medical Examiner Photographs
- ☐ Otherwise inappropriate material
- ☐ Pension and 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 locations (Domestic Violence)
- ☐ Victim records

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.
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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.
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N.J.S.A. 2A:4A-60
N.J.S.A. 47:1A-1.1, et seq.
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N.J.S.A. 47:1A-1.1, et seq.; Exec. 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.

Other

- ☐ Record has been destroyed/not retained pursuant to:
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(NJ Dept. of State, Div. of Archives Mgmt.)

CUSTODIAN'S SIGNATURE: _____

Date: _____

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Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Attn: OPRA Custodian of Records

and either mailed or taken directly to the Prosecutor's Office. This office also accepts requests by fax when clearly addressed to the attention of the "OPRA Custodian of Records." This office accepts requests by email **ONLY** at the following address: opra@mcponj.org. See Paff v. City of East Orange, 407 N.J. Super. 221, 227-28 (App. Div.), certif. denied, 200 N.J. 476 (2009). When a request is received by email, a confirmation of receipt will be sent in reply; until and unless a reply confirmation is received, requestors should not assume their email request was received by the records custodian. Ibid. Requests sent to other email addresses and/or not addressed to the OPRA Custodian of Records may not be received by the Custodian.

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The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

Diana Weiss

From: Erin Rubas <erin.rubas@gmail.com>
Sent: Sunday, November 17, 2019 3:21 PM
To: OPRA
Cc: burns097@yahoo.com
Subject: OPRA/COMMON LAW REQUEST
Attachments: OPRA - MCPO.pdf

To whom it may concern,

Please find attached an OPRA/Common Law Right of Access Request.

Thanks,
Erin P. Rubas
106 Lakewood Road
Manasquan, New Jersey 08736

Jennifer Lipp

From: Jennifer Lipp
Sent: Tuesday, November 19, 2019 12:57 PM
To: 'Greg DiLorenzo'
Subject: RE: OPRA Request
Attachments: Greg DiLorenzo - Lewandowski Menendez files.pdf

See attached.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Greg DiLorenzo <gregd@burdenofproofllc.com>
Sent: Sunday, November 17, 2019 10:17 PM
To: OPRA <opra@mcponj.org>
Subject: OPRA Request

Please see the attached OPRA request.

Thank you,



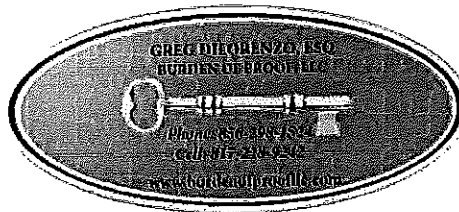
This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail, and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.

Diana Weiss

From: Greg DiLorenzo <gregd@burdenofproofllc.com>
Sent: Sunday, November 17, 2019 10:17 PM
To: OPRA
Subject: OPRA Request
Attachments: MCPO - OPRA.pdf

Please see the attached OPRA request.

Thank you,



This e-mail and any attachments may contain confidential and privileged information. If you are not the intended recipient, please notify the sender immediately by return e-mail, delete this e-mail, and destroy any copies. Any dissemination or use of this information by a person other than the intended recipient is unauthorized and may be illegal.



OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Public Record Request Form

Requestor Information (Optional)*

Name: Greg DiLorenzo

Address: 600 W. Front St., Glendora, NJ 08029

Telephone Number: (817)228-9242

Check one:

☒ I have NOT been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature: Greg DiLorenzo Date of Request: 11/17/19

Description of Record(s) Requested:

1. Any and all documents, audio/video recording, etc. relating to the prosecution of Kenneth Lewandowski:

DOB: September 16, 1963

SBI: 000939518D

2. Any and all documents, audio/video recordings, etc., relating to the prosecution of Thomas Menendez:

DOB: January 28, 1964

SBI: 000893494B

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

Fee**: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.

All checks payable to the County of Monmouth.

____ Unable to provide requested material

____ Request Denied

Reason:

The records 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

Authority

- ☐ Autopsy Reports
- ☐ Child abuse or sex assault victim 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 Negotiation information, strategy or positions
- ☐ Medical Examiner Photographs
- ☐ Otherwise inappropriate material
- ☐ Pension and 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 locations (Domestic Violence)
- ☐ Victim records

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.; Exec. 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.; Exec. 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.

Other

- ☐ Record has been destroyed/not retained pursuant to:
- ☐ Other

Records Retention and Disposition Schedule
(NJ Dept. of State, Div. of Archives Mgmt.)

CUSTODIAN'S SIGNATURE: _____

Date: _____

Procedure for Submission:

Members of the public who are requesting copies of records are encouraged to complete this Request for Public Records form. Renna v. County of Union, 407 N.J. Super. 230 (App. Div. 2009). The form or other written request must be placed in an envelope addressed to:

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Attn: OPRA Custodian of Records

and either mailed or taken directly to the Prosecutor's Office. This office also accepts requests by fax when clearly addressed to the attention of the "OPRA Custodian of Records." This office accepts requests by email **ONLY** at the following address: . See Paff v. City of East Orange, 407 N.J. Super. 221, 227-28 (App. Div.), certif. denied, 200 N.J. 476 (2009). When a request is received by email, a confirmation of receipt will be sent in reply; until and unless a reply confirmation is received, requestors should not assume their email request was received by the records custodian. Ibid. Requests sent to other email addresses and/or not addressed to the OPRA Custodian of Records may not be received by the Custodian.

A Right to Discovery is Separate and Distinct from a Right to Access Public Records.

OPRA is a public disclosure statute and is **not** intended to replace or supplement the discovery of private litigants. Constantine v. Township of Bass River, 406 N.J. Super. 305, 324-25 (App. Div. 2009), certif. denied, 200 N.J. 208 (2009); MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 545-46 (App. Div. 2005). Requests for discovery of materials that are not public government records should be made in accordance with the applicable Court Rules.

Procedure for Filing an Appeal.

A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may:

Institute a proceeding to challenge the custodian's decision by filing an action in Monmouth County Superior Court which shall be heard by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records;

Or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established in subsection 8 of P.L.2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

Jennifer Lipp

From: Jennifer Lipp
Sent: Thursday, November 21, 2019 10:55 AM
To: 'Caitlin Ens'
Subject: RE: Criminal Record Request
Attachments: Caitlin Ens records.pdf

See attached.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Caitlin Ens <caitlinens@yahoo.com>
Sent: Tuesday, November 19, 2019 9:13 AM
To: OPRA <opra@mcponj.org>
Subject: Criminal Record Request

To whom this may concern,

I am attaching a request form for my criminal records from May 2015-April 2016.

Thank you very much.

Best,

Caitlin Ens

Diana Weiss

From: Caitlin Ens <caitlinens@yahoo.com>
Sent: Tuesday, November 19, 2019 9:13 AM
To: OPRA
Subject: Criminal Record Request
Attachments: Caitlin Ens Records Request (11.19.19).pdf

To whom this may concern,

I am attaching a request form for my criminal records from May 2015-April 2016.

Thank you very much.

Best,

Caitlin Ens



OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Public Record Request Form

Requestor Information (Optional)*

Name: Caitlin Ens

Address: 2000 N St NW, Apt 1006, Washington, DC 20036

Telephone Number: (732) 693-3523

Check one:

☒ I have **NOT** been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature:  Date of Request: 11/19/2019

Description of Record(s) Requested:

In order to complete my application to be admitted to the New York State bar, I require my criminal record from May 2015-April 2016. In particular, I need information about my arrest, charges, tribunal, and PTI. I would appreciate any other information so that I can submit a statement with candor to the Court.

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.

All checks payable to the County of Monmouth.



OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160

Fee**:

2.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

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The records 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

Authority

- | | |
|---|--|
| ☐ Autopsy Reports | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Child abuse or sex assault victim name or address | N.J.S.A. 2A:82-46b |
| ☐ Court records sealed | Executive Order 69 |
| ☐ Computer security information | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Criminal investigatory records | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Credit Card Numbers | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Grand Jury testimony, information | Court Rule 3:6-7 |
| ☐ Grievance information with public employer | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Domestic Violence data | N.J.S.A. 2C:25-33 |
| ☐ Drivers' license numbers | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ DYFS information | N.J.S.A. 9:6-8.10 |
| ☐ Electronic Surveillance Materials | N.J.S.A. 2A:156A-19 |
| ☐ Emergency or security information or procedures | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Employee sexual harassment complaints | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Fingerprint cards | Executive Order 69 |
| ☐ Inter-agency or intra agency advisory communications | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Juvenile records | N.J.S.A. 2A:4A-60 |
| ☐ Labor Negotiation information, strategy or positions | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Medical Examiner Photographs | N.J.S.A. 47:1A-1.1, et seq. |
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| ☐ Photographs | N.J.S.A. 47:1A-1.1, et seq.; Exec. Order 69 |
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| ☐ Safety of persons or public | N.J.S.A. 47:1A-1.1, et seq.; Exec. Order 69 |
| ☐ Security measures and surveillance techniques | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Social Security Numbers | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Unlisted Telephone Numbers | N.J.S.A. 47:1A-1.1, et seq. |
| ☐ Victim locations (Domestic Violence) | N.J.S.A. 2C:25-26c. |
| ☐ Victim records | N.J.S.A. 47:1A-1.1, et seq. |

Other

- ☐ Record has been destroyed/not retained pursuant to:
- ☐ Other _____

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(NJ Dept. of State, Div. of Archives Mgmt.)

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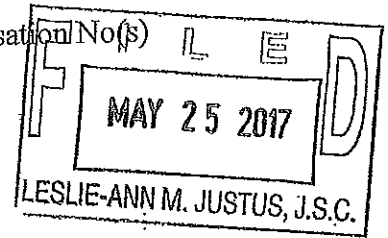
Institute a proceeding to challenge the custodian's decision by filing an action in Monmouth County Superior Court which shall be heard by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records;

Or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established in subsection 8 of P.L.2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

STATE OF NEW JERSEY

SUPERIOR COURT OF NEW JERSEY
MONMOUTH COUNTY
Complaint/Indictment/Accusation No(s) **L E D**
15-11-02005-I



VS

Promis # 15 001832-001
CAPS # E 14612
Prob. Officer Shakura McCogg

Caitlin M. Ens
Defendant

Pretrial Intervention Program

- 1.) **Order of Dismissal**
And
- 2.) **Order to Discharge Bail**

Upon application of the Vicinage Chief Probation Officer for an Order to Dismiss the above captioned Complaint(s)/Indictment(s)/Accusation(s) and having considered the report of the Pretrial Intervention Program concerning the defendant's participation along with the recommendation of the Criminal Division Manager and with the consent of the Prosecutor and defendant;

It is on this 25th day of MAY, 2017 **ORDERED** that the Complaint(s)/Indictment(s)/Accusation(s) is/are hereby dismissed pursuant to Rule 3:28 and matter adjusted without cost to the defendant.

It is further **ORDERED** that bail posted in this matter be discharged.

I hereby consent to the entry of the above Order

Prosecutor

Judge of the Superior Court

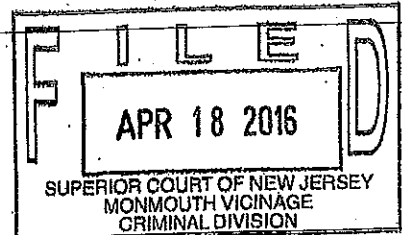
Leslie-Ann M. Justus, J.S.C.

Distribution: Criminal Division
Finance Division
Probation Division

Prosecutor
Defense Attorney
Defendant



PRETRIAL INTERVENTION



ORDER OF POSTPONEMENT

STATE OF NEW JERSEY

VS.

CAITLIN

MELISSA

ENS

☒ 1st ORDER

☐ 2nd ORDER

☐ 3rd ORDER

ADDRESS

4 GRANT CT

TINTON FALLS

NJ

ZIP

07724

COUNTY

MONMOUTH

PROMIS NUMBER(S)

15 001832-001

CAPS ID NUMBER

IND / ACC / COMPLAINT
NUMBER(S), CHARGES
AND STATUTES

15-11-02005-I
1. AGG ASSLT ON POLICE OFFICER, 2C:12-1B(5)(A), DEG:3;

2. RESISTING ARREST - 3RD DEGREE, 2C:29-2A(3), DEG:3;

RELATED DISORDERLY PERSONS
AND MOTOR VEHICLE CHARGES
W-2015-000272-1336

DP01. OBSTRUCT ADMINISTRATION OF LAW, 2C:29-1A;

In accordance with the provisions of N.J.S.A. 2C:43-12 & 13 & R. 3:28, and upon the recommendation of the PTI Director and with the consent of the Prosecutor and defendant to the attached listed terms and conditions of the supervisory treatment, it is ORDERED that all further proceedings be and are postponed for a period of 12 months, beginning 4/18/16.

DATE

4/18/16

JUDGE

ANTHONY J. MELLACI, JR.

DATE

4/12/16

PROSECUTOR

CHRISTOPHER GRAMICCIONI

DATE

3/17/16

PTI DIRECTOR

MARY ANN MCGEVNA

I consent to the conditions set forth in the standard and special conditions. I agree to a postponement of further proceedings for a period not to exceed three years. During this period I waive my right to a speedy trial on this or any related charges, including disorderly persons offenses and motor vehicle charges. In addition, I agree to waive any double jeopardy claim as to any remanded disorderly persons offenses and / or motor vehicle violations.

DATE

4/18/16

DEFENDANT

CAITLIN MELISSA ENS

DATE

4/18/16

ATTORNEY

JOHN P CASALE

Additional Information

LAST NAME ENS	FIRST NAME CAITLIN	MIDDLE NAME MELISSA
INDICTMENT / ACCUSATION / COMPLAINT NUMBER 15-11-02005-I	PROMIS NUMBER 15 001832-001	SBI # 484013G

Additional Info, Page 1

SPECIAL CONDITIONS: ADDITIONAL CONDITIONS OR COMMENTS

3. Mandatory drug monitoring as determined by Probation;
4. Pay appropriate fees;
5. 75 hours of community service;
6. Obtain and maintain employment

continue treatment with Meridian Behavioral Health and undergo further mental health evaluations.

MONMOUTH COUNTY PROSECUTOR
132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

INDICTMENT No. 15-11-2005

STATE OF NEW JERSEY,

v.

CAITLIN M. ENS,

Defendants.

DEMAND FOR
BILL OF PARTICULARS
WHERE ALIBI IS RELIED
UPON BY DEFENDANT

TO

CAITLIN M. ENS

DOB: 10-1-90

4 GRANT CT

TINTON FALLS, NJ 07724

PURSUANT TO R. 3:12-2,

If you, the defendant in this case, in any way intend to rely on the defense of alibi, the State demands that within ten (10) days after receipt of this written demand, you furnish to the State a written bill of particulars, signed by you, the defendant, stating the specific place or places at which you claim to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom you wanted to rely to establish your alibi.

DATED November 17, 2015
Case No. 15-1832



Acting Monmouth County Prosecutor

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

THE STATE OF NEW JERSEY

Plaintiff,

v.

CAITLIN M. ENS,

Defendant.

:

:

:

:

:

Indictment No. 15-11-2005
Case No. 15-1832

FIRST COUNT

AGGRAVATED ASSAULT ON A POLICE OFFICER

THIRD DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that CAITLIN M. ENS, on or about May 10, 2015, in or about the Borough of Tinton Falls, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Aggravated Assault, by attempting to cause, or purposely, knowingly, or recklessly causing, bodily injury to D.D., a law enforcement officer acting in the performance of his duties while in uniform or exhibiting evidence of his authority, contrary to the provisions of N.J.S.A. 2C:12-1b(5)(a), and against the peace of this State, the Government, and dignity of the same.

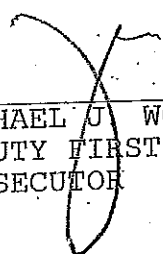
SECOND COUNT

RESISTING ARREST

THIRD DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that CAITLIN M. ENS, on or about May 10, 2015, in or about the Borough of Tinton

Falls, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Resisting Arrest, by purposely preventing or attempting to prevent D.D., a law enforcement officer, from effecting an arrest, by using or threatening to use physical force or violence against the law enforcement officer or another or by using any other means to create a substantial risk of causing physical injury to the public servant or another, contrary to the provisions of N.J.S.A. 2C:29-2a(3), and against the peace of this State, the Government, and dignity of the same.


MICHAEL J. WOJCIECHOWSKI
DEPUTY FIRST ASSISTANT
PROSECUTOR

Endorsed:

Foreperson

Jennifer Lipp

From: Jennifer Lipp
Sent: Friday, November 22, 2019 11:57 AM
To: 'Laurel Peltzman'
Subject: RE: OPRA REQUEST re: Thomas E. Grisard
Attachments: Lauren Peltzman - Thomas Grisard.pdf; Thomas Grisard 2010 2011.pdf

See attached.

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, NJ 07728

From: Laurel Peltzman <lpeltzman@lawjw.com>
Sent: Friday, November 22, 2019 9:52 AM
To: OPRA <opra@mcponj.org>
Cc: Debra Richeal <dricheal@lawjw.com>
Subject: OPRA REQUEST re: Thomas E. Grisard

To whom it may concern:

Please see attached. Thank you.

Laurel B. Peltzman, Esquire
Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C.
1000 Haddonfield-Berlin Road, Suite 203
Voorhees, NJ 08043
p 856-596-4100
f 856-702-6640
e lpeltzman@lawjw.com

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Disclaimer

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This email has been scanned for viruses and malware, and may have been automatically archived by Appraver,

OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160



Public Record Request Form

Requestor Information (Optional)*

Name: Laurel Peltzman, Esq.

Address: 1000 Haddonfield Berlin Road

Voorhees, NJ 08043

Telephone Number: (856) 596-4100

Check one:

☒ I have **NOT** been convicted of an indictable offense.

☐ I have been convicted of an indictable offense and I am aware that I am not entitled to any information about any victim(s) of that crime and/or their family. N.J.S.A. 47:1A-2.2.

I certify that the above information is true and correct and I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment. N.J.S.A. 2C:28-3.

Signature: *Laurel Peltzman*

Date of Request: 11/22/19

Description of Record(s) Requested:

Any and all documents related to any and all matters this prosecutor's Office has filed against Thomas E. Grisard (DOB December 18, 1958) from 2010 to the present, including but not limited to any documents related to one of Mr. Grisard's victims, Andrew Little.

Date Received: _____

Date Records will be available, if applicable: _____

Records Provided: _____

1.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.

All checks payable to the County of Monmouth.

Diana Weiss

From: Laurel Peltzman <lpeltzman@lawjw.com>
Sent: Friday, November 22, 2019 9:52 AM
To: OPRA
Cc: Debra Richeal
Subject: OPRA REQUEST re: Thomas E. Grisard
Attachments: SKM_C75919112209530.pdf

To whom it may concern:

Please see attached. Thank you.

Laurel B. Peltzman, Esquire
Javerbaum Wurgaft Hicks Kahn Wikstrom & Sinins, P.C.
1000 Haddonfield-Berlin Road, Suite 203
Voorhees, NJ 08043
p 856-596-4100
f 856-702-6640
e lpeltzman@lawjw.com

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**OFFICE OF THE COUNTY PROSECUTOR
COUNTY OF MONMOUTH**

132 JERSEYVILLE AVENUE
FREEHOLD, NJ 07728-2374

(732) 431-7160



Fee**:

2.

* If requestor information is not provided a deposit of \$10.00 will be required. N.J.S.A. 47:1A-5(f). This deposit will be put toward any cost incurred. The request will be reviewed in accordance with N.J.S.A. 47:1A-2.2.

** This office reserves the right to require that all fees must be paid in full before release of requested records. If the cost of producing the records is over \$25.00 a deposit may be requested before beginning reproduction.

All checks payable to the County of Monmouth.

____ Unable to provide requested material

____ Request Denied

Reason:

The records 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

Authority

- ☐ Autopsy Reports
- ☐ Child abuse or sex assault victim 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 Negotiation information, strategy or positions
- ☐ Medical Examiner Photographs
- ☐ Otherwise inappropriate material
- ☐ Pension and 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 locations (Domestic Violence)
- ☐ Victim records

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.; Exec. 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.; Exec. 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.

Other

- ☐ Record has been destroyed/not retained pursuant to:
- ☐ Other

Records Retention and Disposition Schedule
(NJ Dept. of State, Div. of Archives Mgmt.)

CUSTODIAN'S SIGNATURE: _____ Date: _____

Procedure for Submission:

Members of the public who are requesting copies of records are encouraged to complete this Request for Public Records form. Renna v. County of Union, 407 N.J. Super. 230 (App. Div. 2009). The form or other written request must be placed in an envelope addressed to:

Monmouth County Prosecutor's Office
132 Jerseyville Avenue
Freehold, New Jersey 07728
Attn: OPRA Custodian of Records

and either mailed or taken directly to the Prosecutor's Office. This office also accepts requests by fax when clearly addressed to the attention of the "OPRA Custodian of Records." This office accepts requests by email **ONLY** at the following address: opra@mcponj.org. See Paff v. City of East Orange, 407 N.J. Super. 221, 227-28 (App. Div.), certif. denied, 200 N.J. 476 (2009). When a request is received by email, a confirmation of receipt will be sent in reply; until and unless a reply confirmation is received, requestors should not assume their email request was received by the records custodian. Ibid. Requests sent to other email addresses and/or not addressed to the OPRA Custodian of Records may not be received by the Custodian.

A Right to Discovery is Separate and Distinct from a Right to Access Public Records.

OPRA is a public disclosure statute and is **not** intended to replace or supplement the discovery of private litigants. Constantine v. Township of Bass River, 406 N.J. Super. 305, 324-25 (App. Div. 2009), certif. denied, 200 N.J. 208 (2009); MAG Entertainment, LLC v. Division of Alcoholic Beverage Control, 375 N.J. Super. 534, 545-46 (App. Div. 2005). Requests for discovery of materials that are not public government records should be made in accordance with the applicable Court Rules.

Procedure for Filing an Appeal.

A person who is denied access to a government record by the custodian of the record, at the option of the requestor, may:

Institute a proceeding to challenge the custodian's decision by filing an action in Monmouth County Superior Court which shall be heard by a Superior Court Judge who has been designated to hear such cases because of that judge's knowledge and expertise in matters relating to access to government records;

Or in lieu of filing an action in Superior Court, file a complaint with the Government Records Council established in subsection 8 of P.L.2001, c.404 (C.47:1A-7).

The right to institute any proceeding under this section shall be solely that of the requestor. Any such proceeding shall proceed in a summary or expedited manner. The public agency shall have the burden of proving that the denial of access is authorized by law. If it is determined that access has been improperly denied, the court or agency head shall order that access be allowed. A requestor who prevails in any proceeding shall be entitled to a reasonable attorney's fee.

MONMOUTH COUNTY PROSECUTOR
71 MONUMENT PARK
FREEHOLD, NEW JERSEY 07728-1261

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

INDICTMENT No 11-03-00575

STATE OF NEW JERSEY

Plaintiff,

v.

THOMAS GRISARD,

Defendant.

DEMAND FOR
BILL OF PARTICULARS
WHERE ALIBI IS RELIED
UPON BY DEFENDANT

TO

Thomas Grisard

DOB 12/18/1958

41 Maple Drive

Spring Lake Heights, New Jersey 07762

PURSUANT TO R. 3:12-2,

If you, the defendant in this case, in any way intend to rely on the defense of alibi, the State demands that within ten (10) days after receipt of this written demand, you furnish to the State a written bill of particulars, signed by you, the defendant, stating the specific place or places at which you claim to have been at the time of the alleged offense and the names and addresses of the witnesses upon whom you wanted to rely to establish your alibi.

DATED March 16, 2011
10-03853


Monmouth County Prosecutor

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
MONMOUTH COUNTY

THE STATE OF NEW JERSEY :

Plaintiff, :

v. :

Indictment No. 11-03-00515
Case No. 10-03853

THOMAS GRISARD, :

Defendant. :

FIRST COUNT

AGGRAVATED SEXUAL ASSAULT

FIRST DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that THOMAS GRISARD, on or about diverse dates between May 27, 2010 through July 23, 2010, in or about the Borough of Spring Lake Heights, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Aggravated Sexual Assault, by committing an act of sexual penetration with A.L., while A.L. was less than 13 years old, contrary to the provisions of N.J.S.A. 2C:14-2a(1), and against the peace of this State, the Government and dignity of the same.

SECOND COUNT

SEXUAL ASSAULT

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that THOMAS GRISARD, on or about diverse dates between May 27, 2010 through July 23, 2010, in or about the Borough of Spring Lake Heights and/or the

Township of Wall and/or the Borough of Belmar, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Sexual Assault, by committing an act of sexual contact upon A.L. while A.S. was less than 13 years of age and THOMAS GRISARD was at least four years older than A.L., contrary to the provisions of N.J.S.A. 2C:14-2b, and against the peace of this State, the Government, and dignity of the same.

THIRD COUNT

ENDANGERING THE WELFARE OF A CHILD

SECOND DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that that THOMAS GRISARD, on or about diverse dates between May 27, 2010 through July 23, 2010, in or about the Borough of Spring Lake Heights and/or the Township of Wall and/or the Borough of Belmar, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Endangering the Welfare of a Child, by engaging in sexual conduct which would impair or debauch the morals of a child, to wit: A.L., less than 18 years of age, while having a legal duty or having assumed responsibility for the care of the child, contrary to the provisions of N.J.S.A. 2C:24-4a, and against the peace of this State, the Government, and dignity of the same.

FOURTH COUNT

ENDANGERING THE WELFARE OF A CHILD

(POSSESSION OF CHILD PORNOGRAPHY)

FOURTH DEGREE CRIME

The Grand Jurors of the State of New Jersey, for the County of Monmouth, upon their oaths present that that THOMAS GRISARD, on or about diverse dates between August 7, 2007 through August 31, 2010, in or about the Borough of Spring Lake Heights, County of Monmouth, and within the jurisdiction of this Court, did commit the crime of Endangering the Welfare of a Child, by knowingly possessing or knowingly viewing any photograph, film, videotape, computer program or file, video game or any other reproduction or reconstruction which depicts a child engaging in a prohibited sexual act or in the simulation of such an act, including on the Internet, contrary to the provisions of N.J.S.A. 2C:24-4(b)5(b), and against the peace of this State, the Government, and dignity of the same.



PETER E. WARSHAW, JR.
PROSECUTOR
MONMOUTH COUNTY

Endorsed:

Foreperson



New Jersey Judiciary
Plea Form

County Morristown
Prosecutor File Number 10003853

Defendant's Name: Thomas Grisard

before Judge: Mullane

List the charges to which you are pleading guilty:

Ind./Acc./Comp.#	Count	Nature of Offense	Degree	Statutory Maximum		
				Time	Fine	VCCO Assmt*
				Max		
				Max		
<u>14-03-0515</u>	<u>1</u>	<u>agg sex asslt</u>	<u>1st</u>	Max	<u>20yr</u>	<u>200,000</u>
				Max		<u>10060</u>
				Max		
				Max		
Your total exposure as the result of this plea is:				Total		

Please Circle
Appropriate
Answer

2. a. Did you commit the offense(s) to which you are pleading guilty? ☒ [Yes] ☐ [No]
- b. Do you understand that before the judge can find you guilty, you will have to tell the judge what you did that makes you guilty of the particular offense(s)? ☒ [Yes] ☐ [No]
3. Do you understand what the charges mean? ☒ [Yes] ☐ [No]
4. Do you understand that by pleading guilty you are giving up certain rights? Among them are:
- a. The right to a jury trial in which the State must prove you guilty beyond a reasonable doubt? ☒ [Yes] ☐ [No]
- b. The right to remain silent? ☒ [Yes] ☐ [No]
- c. The right to confront the witnesses against you? ☒ [Yes] ☐ [No]
- d. Do you understand that by pleading you are **not** waiving your right to appeal (1) the denial of a motion to suppress physical evidence (R. 3:5-7(d)) or (2) the denial of acceptance into a pretrial intervention program (PTI) (R. 3:28(g))? ☒ [Yes] ☐ [No]
- e. Do you further understand that by pleading guilty you are **waiving** your right to appeal the denial of all other pretrial motions except the following: ☒ [Yes] ☐ [No]
- _____
- _____
- _____

* Victims of Crime Compensation Office Assessment

5. Do you understand that if you plead guilty:

a. You will have a criminal record?

[Yes] [No]

b. Unless the plea agreement provides otherwise, you could be sentenced to serve the maximum time in confinement, to pay the maximum fine and to pay the maximum

[Yes] [No]

~~X~~ Victims of Crime Compensation Agency Assessment?

c. You must pay a minimum Victims of Crime Compensation Agency assessment of \$50 (\$100 minimum if you are convicted of a crime of violence) for each count to which you plead guilty? (Penalty is \$30 if offense occurred between January 9, 1986 and December 22, 1991 inclusive. \$25 if offense occurred before January 1, 1986.)

[Yes] [No]

d. If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and you are being sentenced to probation or a State correctional facility, you must pay a transaction fee of up to \$1.00 for each occasion when a payment or installment payment is made? If the offense occurred on or after March 13, 1995 and the sentence is to probation, or the sentence otherwise requires payments of financial obligations to the probation division, you must pay a transaction fee of up to \$2.00 for each occasion when a payment or installment payment is made?

[Yes] [No]

e. If the offense occurred on or after August 2, 1993 you must pay a \$75 Safe Neighborhood Services Fund assessment for each conviction?

[Yes] [No]

f. If the offense occurred on or after January 5, 1994 and you are being sentenced to probation, you must pay a fee of up to \$25 per month for the term of probation?

[Yes] [No] NA

g. If the crime occurred on or after January 9, 1997 you must pay a Law Enforcement Officers Training and Equipment Fund penalty of \$30?

[Yes] [No]

h. You will be required to provide a DNA sample, which could be used by law enforcement for the investigation of criminal activity, and pay for the cost of testing?

[Yes] [No]

i. Computer Crime Prevention Fund Penalty, N.J.S.A. 2C:43-3.8 (L. 2009, c. 149). If the crime involves a violation of N.J.S.A. 2C:24-4b(5)(b) (knowingly possessing or knowingly viewing child pornography, N.J.S.A. 2C:34-3 (selling, distributing or exhibiting obscene material to a person under age 18) or an offense involving computer criminal activity in violation of any provision of Title 2C, chapter 20, you will be assessed a mandatory penalty as listed below for each offense for which you pled guilty?

[Yes] [No] NA

(1) \$2,000 in the case of a 1st degree crime

(2) \$1,000 in the case of a 2nd degree crime

(3) \$ 750 in the case of a 3rd degree crime

(4) \$ 500 in the case of a 4th degree crime

(5) \$ 250 in the case of a disorderly persons or petty disorderly persons offense

Total CCPF Penalty

\$

6. Do you understand that the court could, in its discretion, impose a minimum time in confinement to be served before you become eligible for parole, which period could be as long as one half of the period of the custodial sentence imposed? ☒ [Yes] ☐ [No]

7. Did you enter a plea of guilty to any charges that require a mandatory period of parole ineligibility or a mandatory extended term? ☒ [Yes] ☐ [No]

a. If you are pleading guilty to such a charge, the minimum mandatory period of parole ineligibility is 8 years and 6 months (fill in the number of years/months) and the maximum period of parole ineligibility can be 8 years and 6 months (fill in the number of years/months) and this period cannot be reduced by good time, work, or minimum custody credits.

b. If you are pleading guilty to such a charge, the minimum mandatory extended term is _____ years and _____ months (fill in the number of years/months) and the maximum mandatory extended term can be _____ years and _____ months (fill in the number of years/months).

8. Are you pleading guilty to a crime that contains a presumption of imprisonment which means that it is almost certain that you will go to state prison? ☒ [Yes] ☐ [No]

9. Are you presently on probation or parole? ☐ [Yes] ☒ [No]
a. Do you realize that a guilty plea may result in a violation of your probation or parole? ☐ [Yes] ☒ [No] ☒ [NA]

10. Are you presently serving a custodial sentence on another charge? ☐ [Yes] ☒ [No]
a. Do you understand that a guilty plea may affect your parole eligibility? ☐ [Yes] ☒ [No] ☒ [NA]

11. Do you understand that if you have plead guilty to, or have been found guilty on other charges, or are presently serving a custodial term and the plea agreement is silent on the issue, the court may require that all sentences be made to run consecutively? ☒ [Yes] ☐ [No] ☐ [NA]

12. List any charges the prosecutor has agreed to recommend for dismissal:

Ind./Acc./Compl.#	Count	Nature of Offense and Degree
<u>11-03-0515</u>	<u>2, 3, + 4</u>	<u>_____</u>
_____	_____	_____
_____	_____	_____

13. Specify any sentence the prosecutor has agreed to recommend:

10 years with 85% of indultment
NSP
if A makes bail AND if A does not appear for sentencing
then A to receive 15 years NSP, with 85%
comply w/ regans, PSL, NVC

14. Has the prosecutor promised that he or she will NOT:

- a. Speak at sentencing?
- b. Seek an extended term of confinement?
- c. Seek a stipulation of parole ineligibility?

[Yes] [No]

[Yes] [No]

[Yes] [No]

15. Are you aware that you must pay restitution if the court finds there is a victim who has suffered a loss and if the court finds that you are able or will be able in the future to pay restitution?

[Yes] [No] [NA]

16. Do you understand that if you are a public office holder or employee, you can be required to forfeit your office or job by virtue of your plea of guilty?

[Yes] [No] [NA]

17. a. Are you a citizen of the United States?

[Yes] [No]

If you have answered "No" to this question, you must answer Questions 17b - 17f. If you have answered "Yes" to this question, proceed to Question 18

b. Do you understand that if you are not a citizen of the United States, this guilty plea may result in your removal from the United States and/or stop you from being able to legally enter or re-enter the United States?

[Yes] [No]

c. Do you understand that you have the right to seek individualized advice from an attorney about the effect your guilty plea will have on your immigration status?

[Yes] [No]

d. Have you discussed with an attorney the potential immigration consequences of your plea? If the answer is "No," proceed to question 17e. If the answer is "Yes," proceed to question 17f.

[Yes] [No] NA

e. Would you like the opportunity to do so?

[Yes] [No]

f. Having been advised of the possible immigration consequences and of your right to seek individualized legal advice on your immigration consequences, do you still wish to plead guilty?

[Yes] [No]

18. a. Do you understand that pursuant to the rules of the Interstate Compact for Adult Offender Supervision if you are residing outside the State of New Jersey at the time of sentencing that return to your residence may be delayed pending acceptance of the transfer of your supervision by your state of residence?

[Yes] [No] NA

b. Do you also understand that pursuant to the same Interstate Compact transfer of your supervision to another state may be denied or restricted by that state at any time after sentencing if that state determines you are required to register as a sex offender in that state or if New Jersey has required you to register as a sex offender?

[Yes] [No]

19. Have you discussed with your attorney the legal doctrine of merger?

[Yes] [No] [NA]

20. Are you giving up your right at sentence to argue that there are charges you pleaded [Yes] [No] ☒ [NA]
guilty to for which you cannot be given a separate sentence?

21. List any other promises or representations that have been made by you, the prosecutor, your defense attorney, or anyone else as a part of this plea of guilty:

NONE

22. Have any promises other than those mentioned on this form, or any threats, been made in order to cause you to plead guilty? [Yes] ☒ [No]

23. a. Do you understand that the judge is not bound by any promises or recommendations of the prosecutor and that the judge has the right to reject the plea before sentencing you and the right to impose a more severe sentence? ☒ [Yes] [No]

b. Do you understand that if the judge decides to impose a more severe sentence than recommended by the prosecutor, that you may take back your plea? ☒ [Yes] [No]

c. Do you understand that if you are permitted to take back your plea of guilty because of the judge's sentence, that anything you say in furtherance of the guilty plea cannot be used against you at trial? ☒ [Yes] [No]

24. Are you satisfied with the advice you have received from your lawyer? ☒ [Yes] [No]

25. Do you have any questions concerning this plea? ☒ [Yes] ☒ [No]

Date 2-23-12 Defendant *[Signature]*

Defense Attorney *[Signature]*

Prosecutor William C. Soren

[] This plea is the result of the judge's conditional indications of the maximum sentence he or she would impose independent of the prosecutor's recommendation. Accordingly, the "Supplemental Plea Form for Non-Negotiated Pleas" has been completed.



New Jersey Judiciary
Additional Questions for Certain Sexual Offenses
Committed On or After December 1, 1998

These additional questions need to be answered if you are pleading guilty to the offense of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping under 2C:13-1c(2), endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child under 2C:24-4a, endangering the welfare of a child pursuant to 2C:24-4b(4), or any attempt to commit any such offense.

1. Do you understand you will be required to submit to a psychological examination by the Department of Corrections the purpose of which is to determine if your conduct in committing the offense was characterized by a pattern of repetitive and compulsive behavior and if it was, whether you are amenable to (will benefit from) sex offender treatment and you are willing to participate in such treatment? ☒ [Yes] ☐ [No]
2. Do you understand if the examination reveals that your conduct is characterized by a pattern of repetitive and compulsive behavior, and you are amenable to (will benefit from) sex offender treatment and willing to participate in such treatment, the judge shall, upon recommendation of the Department of Corrections, sentence you to confinement at the Adult Diagnostic and Treatment Center for sex offender treatment; however, if the sentence imposed is greater than 7 years, you will first be confined at a facility other than the Adult Diagnostic and Treatment Center? ☒ [Yes] ☐ [No]
3. Do you understand if the court finds your conduct is characterized by a pattern of repetitive and compulsive behavior and you are not amenable to sex offender treatment or if you are amenable (will benefit from) but you are not willing to participate in such treatment, the court will sentence you to a term of incarceration to be served in another facility which will not provide for sex offender treatment and in such event, you will not receive commutation time for good behavior or each work credits for time served in such other facility? ☒ [Yes] ☐ [No]
4. Do you understand you will be able to challenge the findings of the Department of Corrections in a hearing and at that hearing you will have the right to confront the witnesses against you and to cross examine them and then present evidence on your own behalf? ☒ [Yes] ☐ [No]
5. Do you understand if you are sentenced to the Adult Diagnostic and Treatment Center
 - a. that any future parole will not be guided by the normal parole guidelines? ☒ [Yes] ☐ [No]

5. b. that you will be **eligible** for release when the State Parole Board, after receiving a recommendation from a special classification review board, finds you have achieved a satisfactory level of progress in sex offender treatment and that you will then be released on parole **unless** the State Parole Board determines by a preponderance of the evidence that you have failed to cooperate in your rehabilitation **or** there is reasonable expectation that you will violate conditions of parole?

☒ [Yes] ☐ [No]

c. that you could spend more time in treatment than you would spend if sentenced to state prison?

☒ [Yes] ☐ [No]

6. Do you understand that if you are determined to be a repetitive, compulsive sex offender who is amenable to (will benefit from) sex offender treatment but you are **not** willing to participate in such treatment and are confined to a facility other than Adult Diagnostic and Treatment Center, you will also be subject to the same parole eligibility terms as contained in section 5 above?

☒ [Yes] ☐ [No]

7. Do you understand that if your conduct is **not** characterized by a pattern of repetitive, compulsive behavior or you are not amenable to sex offender treatment you will not become primarily eligible for parole until you have served any mandatory minimum term imposed by the court **or** one third of the sentence imposed where no mandatory minimum term is fixed **and** neither term will be reduced by commutation time for good behavior or work credits?

☒ [Yes] ☐ [No]

Date: 2-23-12 Defendant: Thana G. G.

Defense Attorney: Robert O. Brady

Prosecutor: William A. Sam

NOTE: If the defendant is a female and qualifies for sex offender treatment, she will not be confined at the Adult Diagnostic and Treatment Center but a facility designated by the Commissioner of Corrections where she will receive similar sex offender treatment.



New Jersey Judiciary
Additional Questions for Certain Sexual Offenses

These additional questions need to be answered if you are pleading guilty to the offense of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping under 2C:13-1c(2), endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child under 2C:24-4a, endangering the welfare of a child pursuant to 2C:24-4b(3), (4) or (5)(a), luring or enticing a child pursuant to 2C:13-6, criminal sexual contact pursuant to 2C:14-3b if the victim is a minor; kidnapping pursuant to 2C:13-1, criminal restraint pursuant to 2C:13-2 or false imprisonment pursuant to 2C:13-3 if the victim is a minor and the offender is not the parent, promoting child prostitution pursuant to 2C:34-1b(3), (4), or any attempt to commit any such offense. Note also that Question 7 includes the offense of felony murder if the underlying crime is sexual assault, as well as any offense for which the court makes a specific finding on the record that, based on the circumstances of the case, the offense should be considered a sexually violent offense, or an attempt to commit these offenses.

1. Registration

- a) Do you understand that you must register with certain public agencies? [Yes] [No]
- b) Do you understand that if you change residence you must notify the law enforcement agency where you are registered, and must re-register with the chief law enforcement officer of the municipality in which you will reside, or the Superintendent of State Police if the municipality does not have a chief law enforcement officer, no less than 10 days before you intend to reside at the new address? [Yes] [No]
- c) Do you understand that if you fail to register or re-register you may be charged with a third degree crime and receive a sentence of imprisonment of up to 5 years? [Yes] [No]
- d) Do you understand that you must provide the appropriate law enforcement agency with information about your routine access to or use of a computer or device with Internet capability? (if the offense was committed on or after February 25, 2008) [Yes] [No]
- e) Do you understand that if you fail to notify the appropriate law enforcement agency about your routine access to or use of a computer or device with Internet capability or a change in such use or access, you may be charged with a fourth degree crime and may receive a sentence of imprisonment of up to 18 months? (if the offense was committed on or after February 25, 2008) [Yes] [No]

2. Address Verification

- a) Do you understand that if you are pleading guilty to aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping pursuant to 2C:13-1c(2) or any attempt to commit any of these crimes and at sentencing the court finds that your conduct was characterized by a pattern of repetitive, compulsive behavior you must verify your address with the appropriate law enforcement agency every 90 days or if the court finds your conduct is not characterized by a pattern of repetitive and compulsive behavior, you must verify your address annually? ☒ [Yes] ☐ [No]
- b) Do you understand that if you provide false information concerning your residence or fail to verify your address you may be charged with a fourth degree crime and receive a sentence of imprisonment of up to 18 months? ☒ [Yes] ☐ [No]

3. Notification

- Do you understand that the requirement of registration may result in notification to law enforcement, community organizations, or the public at large, of your release from incarceration or presence in the community? ☒ [Yes] ☐ [No]

4a. Community Supervision for Life (only complete if the offense occurred before January 14, 2004). (If the offense occurred on or after January 14, 2004, the defendant should complete Question 4b, Parole Supervision for Life).

- (1) Do you understand that if you are pleading guilty to the crime of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping pursuant to 2C:13-1c(2), endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of the child pursuant to 2C:24-4a, luring, or an attempt to commit any such offense, the court, in addition to any other sentence, will impose a special sentence of community supervision for life? ☒ [Yes] ☐ [No]
- (2) Do you understand that being sentenced to community supervision for life means that: you will be supervised for at least 15 years as if on parole, and subject to conditions appropriate to protect the public and foster rehabilitation, including, but not limited to counseling; Internet access or use; and other restrictions, which may include restrictions on where you can live, work or travel? ☒ [Yes] ☐ [No] ☐ [NA]
- (3) Do you understand that the restrictions on where you can live may include restrictions on residing in a home with minor children? ☒ [Yes] ☐ [No] ☐ [NA]

4b. Parole Supervision for Life (only complete if the offense occurred on or after January 14, 2004).

- (1) Do you understand that if you are pleading guilty to the crime of aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping pursuant to 2C:13-1c(2), endangering the welfare of a child by engaging in sexual conduct which would impair or debauch the morals of a child pursuant to 2C:24-4a, endangering the welfare of a child pursuant to 2C:24-4b(3), luring or an attempt to commit any of these offenses and the offense occurred on or after January 14, 2004, the court, in addition to any other sentence, will impose a special sentence of parole supervision for life? ☒ [Yes] ☐ [No] ☐ [NA]
- (2) Do you understand that being sentenced to parole supervision for life means that upon release from incarceration or immediately upon imposition of a suspended sentence you will be supervised by the Division of Parole for at least 15 years and will be subject to provisions and conditions of parole, including conditions appropriate to protect the public and foster rehabilitation, such as, but not limited to, counseling, Internet access or use, and other restrictions which may include restrictions on where you can live, work, travel or persons you can contact? ☒ [Yes] ☐ [No] ☐ [NA]
- (3) Do you understand that the restrictions on where you can live may include restrictions on residing in a home with minor children? ☒ [Yes] ☐ [No] ☐ [NA]
- (4) Do you understand that if you violate a condition of parole supervision for life, your parole may be revoked and you can be sent to prison for 12 to 18 months for each revocation that occurs while you are being supervised and that the prison term you receive cannot be reduced by commutation or work credits? ☒ [Yes] ☐ [No] ☐ [NA]
- (5) Do you understand that if you violate a condition of parole supervision for life and you are indicted and convicted for that violation, you will receive a sentence of imprisonment of up to 18 months and that the sentence you receive could be in addition to any prison term you may receive from the Parole Board for a violation of parole supervision for life? ☒ [Yes] ☐ [No] ☐ [NA]

5. Internet Posting

- Do you understand that as a result of your conviction your name, age, race, sex, date of birth, height, weight, eye color, any distinguishing scars or tattoos you have, your photograph, the make, model, color, year and license plate number of any vehicle you operate, the street address, zip code, municipality and county in which you reside and a description of the offense for which you are pleading guilty, may be publicly available on the Internet? ☒ [Yes] ☐ [No]

6. Statewide Sexual Assault Nurse Examiner Program Penalty
Do you understand that if the crime occurred on or after May 4, 2001 as a result of your guilty plea you will be required to pay a penalty of \$800 for each offense for which you are pleading guilty? ☒ [Yes] ☐ [No]

7. Civil Commitment
Do you understand that if you are convicted of a sexually violent offense, such as aggravated sexual assault, sexual assault, aggravated criminal sexual contact, kidnapping under 2C:13-1c(2)(b), criminal sexual contact, felony murder if the underlying crime is sexual assault, an attempt to commit any of these offenses, or any offense for which the court makes a specific finding on the record that, based on the circumstances of the case, the offense should be considered a sexually violent offense, you may upon completion of your term of incarceration, be civilly committed to another facility for up to life if the court finds, after a hearing, that you are in need of involuntary civil commitment? ☒ [Yes] ☐ [No]

8. Sex Crime Victim Treatment Fund Penalty (S.C.V.T.F.)
Do you understand that if the crime occurred on or after April 26, 2005, as a result of your guilty plea you will be required to pay a mandatory Sex Crime Victim Treatment Fund (S.C.V.T.F.) penalty as listed below for each offense for which you pled guilty? ☒ [Yes] ☐ [No]

b. The mandatory penalties are as follows:

- (1) Up to \$2,000 in the case of a 1st degree crime
- (2) Up to \$1,000 in the case of a 2nd degree crime
- (3) Up to \$ 750 in the case of a 3rd degree crime
- (4) Up to \$ 500 in the case of a 4th degree crime

TOTAL S.C.V.T.F. Penalty: \$ 2,000

Date: 2-23-12 Defendant: Thompson, D
Defense Attorney: Robert F. Kelly
Prosecutor: Walter A. Sam



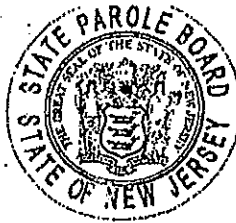
Thomas Grisard

P _____ /SBI# _____

PAROLE SUPERVISION FOR LIFE

A. I understand that pursuant to N.J.S.A. 2C:43-6.4 my sentence includes a special sentence of parole supervision for life. I understand that during the service of the special sentence of parole supervision for life I shall be in the legal custody of the Commissioner of the Department of Corrections and I shall be under the supervision of the Division of Parole of the State Parole Board. I understand that I shall be subject to the following general conditions as established by the State Parole Board:

1. I am required to obey all laws and ordinances.
2. I am to report to the assigned parole officer as instructed.
3. I am to notify the assigned parole officer immediately after any arrest, after being served with or receiving a complaint or summons and after accepting any pre-trial release, including bail.
4. I am to notify the assigned parole officer immediately upon the issuance by the appropriate court, pursuant to the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 et seq., of an order granting emergency relief, a temporary or final restraining order or an order establishing conditions of release or bail in a criminal matter or offense arising out of a domestic violence situation. I am to comply with any condition established within the respective order until the order is dissolved by the appropriate court or until a condition is modified or discharged by the appropriate court.
5. I am to reside at a residence approved by the assigned parole officer.
6. I am to obtain the approval of the assigned parole officer prior to any change of residence.
7. I am to obtain the permission of the assigned parole officer prior to leaving the state of the approved residence for any purpose.
8. I am to refrain from owning or possessing any firearm, as defined in N.J.S.A. 2C:39-1f, for any purpose.
9. I am to refrain from owning or possessing any weapon enumerated in N.J.S.A. 2C:39-1r.
10. I am to refrain from the purchase, use, possession, distribution or administration of any narcotic or controlled dangerous substance, controlled dangerous substance analog, imitation controlled dangerous substance or any paraphernalia related to such substances except as prescribed by a physician.
11. I am to cooperate in any medical and/or psychological examinations or tests as directed by the assigned parole officer.
12. I am to participate in and successfully complete an appropriate community or residential counseling or treatment program as directed by the assigned parole officer.
13. I am to submit to drug or alcohol testing at any time as directed by the assigned parole officer.
14. I am to obtain the permission of the assigned parole officer prior to securing, accepting or engaging in any employment, business or volunteer activity and prior to a change of employment.
15. I am to immediately notify the assigned parole officer of any change in employment status.
16. I am to refrain from any contact (verbal, written or through a third party) with the victim(s) of the offense unless contact is authorized by the assigned parole officer.
17. I am to comply with any curfew established by the assigned parole officer.
18. I am to refrain from the behavior which results in the issuance of a final restraining order pursuant to the Prevention of Domestic Violence Act, N.J.S.A. 2C:25-17 et seq.
19. I am to refrain from operating a motor vehicle without a valid driver's license.
20. Refrain from any contact (written or otherwise) with any group, club, association or organization that engages in, promotes or encourages illegal or sexually deviant behavior;
21. Submit to a search conducted by a parole officer, without a warrant, of the offender's person, place of residence, vehicle or other real or personal property within the offender's control at any time a parole officer has a reasonable, articulable basis to believe that the search will produce contraband or evidence that a condition of supervision has been violated, is being violated or is about to be violated and permit the confiscation of any contraband;
22. Make payment to the Division of Parole of any assessment, fine, penalty or restitution imposed by the sentencing court; and
23. Pursuant to N.J.S.A. 30:4-123.88, the State Parole Board, on at least an annual basis, may administer a polygraph examination to all offenders serving a special sentence of parole supervision for life. You shall submit to a polygraph examination as directed by the District Parole Supervisor.



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PAROLE SUPERVISION FOR LIFE

B. I understand that if the victim(s) of an offense committed by me is a minor, I shall, in addition to the conditions specified in A above, be subject to the following conditions:

1. I am to refrain from initiating, establishing or maintaining contact with any minor.
2. I am to refrain from attempting to initiate, establish or maintain contact with any minor.
3. I am to refrain from residing with any minor without the prior approval of the assigned parole officer.

I understand that the following circumstances are deemed exceptions to the conditions specified in B above:

1. When the minor is engaged in a lawful commercial or business activity, I may engage in the lawful commercial or business activity, provided the activity takes place in an area open to the public view;
2. When the minor is in the physical presence of his or her parent or legal guardian.
3. When I am present in a public area, as long as I am not associating with a minor, and the public area is not one frequented mainly or exclusively by minors.
4. When the appropriate court may authorize contact with a minor.

C. I understand that if the sentencing court had determined that my conduct was characterized by a pattern of repetitive and compulsive behavior and had committed me to the Adult Diagnostic and Treatment Center for a program of specialized treatment, I shall, in addition to the conditions specified in A and B above, participate in and successfully complete any program of counseling or therapy identified by the treatment staff of the Adult Diagnostic and Treatment Center.

D. I understand that if the sentencing court had determined that my conduct was characterized by a pattern of repetitive and compulsive behavior and had committed me to the Adult Diagnostic and Treatment Center and if upon release from confinement the appropriate county prosecutor determines pursuant to N.J.S.A. 2C:7-8 that I am a high risk to re-offend and if the appropriate court affirms the determination of the county prosecutor, I shall, in addition to the conditions specified in A, B, and C above, submit every two years to an evaluation at the Adult Diagnostic and Treatment Center and participate in and successfully complete any program of counseling or therapy identified by treatment staff.

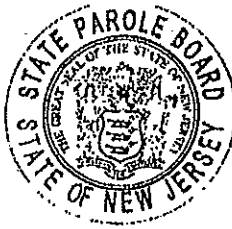
E. I understand that if the sentencing court had determined that my conduct was characterized by a pattern of repetitive and compulsive behavior and if upon release from confinement the appropriate county prosecutor determines pursuant to N.J.S.A. 2C:7-8 that I am a high risk to re-offend and if the appropriate court affirms the determination of the county prosecutor, I shall refrain from the use of alcohol, in addition to the conditions specified in A, B, C, and D above.

SPECIAL CONDITION(S):

I shall refrain from using any computer and/or device to create any social networking profile or to access any social networking service or chat room (including but not limited to MySpace, Facebook, Match.com, Yahoo 360) in my own name or any other name for any reason unless expressly authorized by the District Parole Supervisor.

I understand that I shall be subject to any special condition that may be imposed by the District Parole Supervisor, or Assistant District Parole Supervisor or the designated representative of the District Parole Supervisor pursuant to N.J.A.C. 10A:71-6.12(o).

I understand that I will be under the supervision of the Division of Parole of the State Parole Board until I am released from parole supervision by the Superior Court.



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PAROLE SUPERVISION FOR LIFE

I understand that a violation of a condition specified above without good cause constitutes a crime of the fourth degree.

I understand that a violation of a condition specified above may result in my being returned to custody in accordance with the provisions of N.J.S.A. 30:4-123.60 through 30:4-123.63 and 30:4-123.65. I understand that my parole supervision for life status may be revoked by the State Parole Board pursuant to N.J.S.A. 30:4-123.61b(c).

I hereby acknowledge receiving this date a copy of the above conditions.

Thomas Grisard
Name (Print)

Thomas E. M
Signature

Number

2/23/12
Date

Robert S. Tully
Witness
Att'y for defendant

Title