

BRADLEY D. BILLHIMER
Ocean County Prosecutor

JOSEPH F. MITCHELL
Chief of Detectives



MICHAEL T. NOLAN, JR.
First Assistant Prosecutor

ROBERT J. ARMSTRONG
Deputy First Assistant Prosecutor

OFFICE OF THE PROSECUTOR

Courthouse Annex Building
119 Hooper Avenue
P.O. Box 2191
Toms River, New Jersey 08754-2191
732-929-2027

August 6, 2021

Via OPRA Machine: opra+request-25021-235b7ada@requests.opramachine.com

Re: Open Public Records Act (OPRA) Request
OCPO Case# 04041433 – Kelly Simmons

Dear Sir/Madam:

Enclosed please find the Complaint Warrant and Affidavit pursuant to your request made under the New Jersey Open Public Records Act (OPRA). Personal identifying information has been redacted pursuant to N.J.S.A. 47:1A-1.1, et seq.

Please be advised that there are no responsive documents pursuant to your request for the Global Subject Activity Report, Preliminary Law Enforcement Incident Report, Arrest Report and 911 calls.

Please be advised that your requests for “arrests, released, charges, investigations, motor vehicle accidents, stops, tickets and arrests” are impermissibly vague and overbroad, as they do not identify any specific records or documents in existence. Additionally, compliance with these requests would require research, analysis and judgment by this office, which is prohibited by OPRA:

While OPRA provides an alternative means of access to government documents not otherwise exempted from its reach, it is not intended as a research tool litigants may use to force government officials to identify and siphon useful information. Rather, OPRA simply operates to make identifiable government records “readily accessible for inspection, copying, or examination.” See MAG Entm't, LLC v. Div. of Alcoholic Beverage Control, 375 N.J. Super. 534, 546 (App. Div. 2005)

If I can be of further assistance, please do not hesitate to contact me directly at 732-929-2027, x3135. Should you disagree with our decision, please contact us in writing with your concerns so that we may consider them.

Yours very truly,

Dina R. Khajezadeh

Dina R. Khajezadeh
Assistant Prosecutor

DRK/ec

Enclosures

Prestia , Donna

OPRA req 813
(dp)

From: Khajezadeh, Dina
Sent: Monday, August 2, 2021 4:09 PM
To: Prestia , Donna
Subject: FW: OPRA request - Record Request

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

From: J.R. Simon <opra+request-25021-235b7ada@requests.opramachine.com>
Sent: Monday, August 2, 2021 4:08 PM
To: Khajezadeh, Dina <DKhajezadeh@co.ocean.nj.us>
Subject: OPRA request - Record Request

Dear Ocean 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:

Any relevant arrest reports, global subject activity reports, preliminary law enforcement incident reports, complaint warrants, complaint summonses, and affidavits, 911 calls, arrests, released, charges, investigations, motor vehicle accidents, stops, tickets and arrests, where applicable, for the following defendant:

Kelly M Simmons from 2004-2016
Kelly M Munley 2006-2011

04041433
15000685
08051893

Yours faithfully,
Resident

Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:
opra+request-25021-235b7ada@requests.opramachine.com

Is DKhajezadeh@co.ocean.nj.us the wrong address for OPRA requests to Ocean County Prosecutor's Office? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3docean_county_prosecutors_office&c=E,1,z5jLeqWtvEey6ndb8lxfO3nCSHF1iymxRHgHSBcQXDAsNOTXQC7qsbAxbGDeCsQU2pso8BhnNsqsB13RfpJKkHZVSRdo0fTVdUab2joRTiDSBkE-f5mrng,,&typo=1

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

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1,YzKDzykgNhZOLE-nuFa6vu1GbqKltiRUuDzTkvxndbxBUaaLggAH1weDX_LIL2bPP6VJ6qine5EFxB4LHpl9nlh3Fb6mgqUSy--uMW2LD26Ugr928mCEuUCWgsqw&typo=1

View this OPRA request & responses online:

POLICE CASE NO. 16463-04
COURT (NAME, ADDRESS, TELEPHONE NO.)
BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000
COUNTY OF N.J. COURT CODE
COURT DOCKET NUMBER(S)

The State of New Jersey
vs.

W-2004-000828-1506
PAGE 1 OF 5

Defendant Name KELLY SIMMONS
Address (LKA) 431 VINE STREET
BRICK NJ 08723
City, State
Date of birth 10-19-1984 Date of arrest 00-00-0000
SS No

Number of co-defendants 001 Dr. Lic.# SBI No.

Complainant Name: DETECTIVE C ROONEY of
BRICK TWP. POLICE DE
BRICK NJ 08723
(ADDRESS OF PRIVATE CITIZEN COMPLAINANT)
(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)
Upon oath says that, to the best of (his) (her) knowledge, information and belief, the named defendant on or about the

10 day of 03, 2004, in BRICK TWP
County of OCN N.J.

did;
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON 03-10-04 BY UTTERING CHECK #511 IN THE AMOUNT OF \$75.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON 03-11-04 BY UTTERING CHECK #512 IN THE AMOUNT OF \$250.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON 03-12-04 BY UTTERING CHECK #513 IN THE AMOUNT OF \$300.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON 03-15-04 BY UTTERING CHECK #572 IN THE AMOUNT OF \$400.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON

In Violation Of: ☐ Domestic Violence - Confidential

Charge Number 1	Charge Number 2	Charge Number 3
N.J.S. 2C:21-1A(3)	N.J.S. 2C:21-1A(3)	N.J.S. 2C:21-1A(3)
ACSX	ACSX	ACSX
Charge Number As Amended	Charge Number As Amended	Charge Number As Amended
N.J.S.	N.J.S.	N.J.S.
ACSX	ACSX	ACSX

Subscribed and sworn to before me this 16th day of April, 2004.
Signed [Signature] Signed [Signature]
(NAME AND TITLE OF PERSON ADMINISTERING OATH) (COMPLAINANT)

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT, YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY JON. BRANT COLLINS IN THE AMOUNT OF \$5,000.00 FULL DATE WARRANT ISSUED COURT APPEARANCE DATE 05/19/2004 TIME 09:00 AM
(SIGNATURE OF JUDICIAL OFFICER) Deputy Court Clerk

FIRST APPEARANCE	COURT ACTION (Where Judgement or Conditional Discharge is Entered)										
☐ ADVISED OF RIGHTS				METHOD OF SERVICE:							
CHARGES	WAIVER IND. / JURY	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH	DATE	COND. DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. IMP.
NUMBER 1											
NUMBER 2											
NUMBER 3											
OTHER COURT ACTION				Total DEDR Penalty Amount:				Total Violent Crimes Assessment Amount:			
DATE	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE			Total Lab Fee		Conditional Disc. Fee		DL. Susp.		Institution to Which Sentenced	
DATE	COMPLAINT REFERRED TO PROSECUTOR			Community Service		Restitution				JAIL TIME CREDIT	

POLICE CASE NO. 16463-04
COURT (NAME, ADDRESS, TELEPHONE NO.)
BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000
COUNTY OF N.J. COURT CODE
COURT DOCKET NUMBER(S)
1 THRU 15

The State of New Jersey
vs.

W-2004-000628-1506
PAGE 2 OF 5

Defendant Name KELLY SIMMONS
Address (LKA) 431 VINE STREET
BRICK NJ 08723
City, State
Date of birth 10-19-1984 Date of arrest 00-00-0000
SS No [REDACTED]

Number of co-defendants 001 Dr. Lic.# SBI No.

Complainant Name: DETECTIVE C ROONEY of (IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Residing at BRICK NJ 08723 (ADDRESS OF PRIVATE CITIZEN COMPLAINANT)
Upon oath says that, to the best of (his) (her) knowledge, information and belief, the named defendant on or about the

10 day of 03, 2004, in BRICK TWP
MUNICIPAL CODE NO. 1506 County of OCN N.J.

did;
03-16-04 BY UTTERING CHECK #574 IN THE AMOUNT OF \$500.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
03-19-04 BY UTTERING CHECK #575 IN THE AMOUNT OF \$360.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
03-20-04 BY UTTERING CHECK #576 IN THE AMOUNT OF \$400.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
03-22-04 BY UTTERING CHECK #577 IN THE AMOUNT OF \$400.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
03-22-04 BY UTTERING CHECK #578 IN THE AMOUNT OF \$170.00 WHICH SHE KNEW TO BE

In Violation Of: ☐ Domestic Violence - Confidential

Charge Number 4	Charge Number 5	Charge Number 6
N.J.S. 2C:21-1A(3)	N.J.S. 2C:21-1A(3)	N.J.S. 2C:21-1A(3)
ACSX	ACSX	ACSX
Charge Number 4 As Amended	Charge Number 5 As Amended	Charge Number 6 As Amended
N.J.S.	N.J.S.	N.J.S.
ACSX	ACSX	ACSX

Subscribed and sworn to before me this day of April, 2004.
Signed [Signature] Signed [Signature]
(NAME AND TITLE OF PERSON ADMINISTERING OATH) (COMPLAINANT)

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT, YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY JON. BRANT COLLINS IN THE AMOUNT OF \$5,000.00 FULL DATE WARRANT ISSUED 4/16/04 COURT APPEARANCE DATE 05/19/2004 TIME 09:00 AM
(SIGNATURE OF JUDICIAL OFFICER) Deputy Court Clerk

FIRST APPEARANCE
COURT ACTION (Where Judgement or Conditional Discharge is Entered)
☐ ADVISED OF RIGHTS
METHOD OF SERVICE:
CHARGES WAIVER IND. / JURY PLEA DATE OF PLEA ADJUDICATION OR COND. DISCH. DATE COND. DISCHARGE TERM JAIL TERM FINE COSTS PROBATION TERM SUSP. IMP.
NUMBER 4
NUMBER 5
NUMBER 6
OTHER COURT ACTION
Total DEDR Penalty Amount: Total Violent Crimes Assessment Amount:
DATE DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE Total Lab Fee Conditional Disc. Fee DL. Susp. Institution to Which Sentenced
DATE COMPLAINT REFERRED TO PROSECUTOR Community Service Restitution JAIL TIME CREDIT

POLICE CASE NO.

16463-04

The State of New Jersey

W-2004-000628-1506
PAGE 3 OF 5

COURT (NAME, ADDRESS, TELEPHONE NO.)

BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000

Defendant Name KELLY SIMMONS

Address (LKA) 431 VINE STREET

COUNTY OF

N.J.

COURT CODE

BRICK

NJ 08723

SS No

City, State

10-19-1984

Date of arrest

00-00-0000

COURT DOCKET NUMBER(S)

Number of co-defendants 001

Dr. Lic.#

SBI No.

COMPLAINT-WARRANT

Complainant Name: DETECTIVE C ROONEY

of

(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Residing at BRICK TWP. POLICE DE
BRICK NJ 08723

(ADDRESS OF PRIVATE CITIZEN COMPLAINANT)

Upon oath says that, to the best of (his) (her) knowledge,
information and belief, the named defendant on or about the

MUNICIPAL CODE NO.

1506

County of OCN N.J.

10 day of 03, 2004, in BRICK TWP

did;

FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
 WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
 03-23-04 BY UTTERING CHECK #579 IN THE AMOUNT OF \$500.00 WHICH SHE KNEW TO BE
 FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
 WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
 03-23-04 BY UTTERING CHECK #580 IN THE AMOUNT OF \$200.00 WHICH SHE KNEW TO BE
 FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
 WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
 03-24-04 BY UTTERING CHECK #581 IN THE AMOUNT OF \$650.00 WHICH SHE KNEW TO BE
 FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND
 WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON
 03-25-04 BY UTTERING CHECK #582 IN THE AMOUNT OF \$500.00 WHICH SHE KNEW TO BE
 FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND

In Violation Of:

☐ Domestic Violence - Confidential

Charge Number 1		Charge Number 8		Charge Number 9	
N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:21-1A(3)	ACSX
Charge Number 7	As Amended	Charge Number 8	As Amended	Charge Number 9	As Amended
N.J.S.	ACSX	N.J.S.	ACSX	N.J.S.	ACSX

Subscribed and sworn to before me this

day of

20

Signed

Signed

(COMPLAINANT)

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT, YOU ARE
 HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH
 BEFORE THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY
 HON. BRANT S COLLINS IN THE AMOUNT OF \$5,000.00 FULL
 DATE WARRANT ISSUED 4/16/04 COURT APPEARANCE DATE 05/19/2004 TIME 09:00 AM

(SIGNATURE OF JUDICIAL OFFICER)

TITLE

FIRST APPEARANCE		COURT ACTION (Where Judgement or Conditional Discharge is Entered)									
		ADVISED OF RIGHTS				METHOD OF SERVICE:					
CHARGES	WAIVER INDT / JURY	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH	DATE	COND DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. IMP.
NUMBER 7											
NUMBER 8											
NUMBER 9											
OTHER COURT ACTION		Total DEDR Penalty Amount:					Total Violent Crimes Assessment Amount:				
DATE	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE	Total Lab Fee		Conditional Disc. Fee		DL. Susp.		Institution to Which Sentenced			
DATE	COMPLAINT REFERRED TO PROSECUTOR	Community Service		Restitution				JAIL TIME CREDIT			

Domestic Violence: ☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM

Other

POLICE CASE NO.

16463-04

The State of New Jersey

W-2004-000628-1506
PAGE 4 OF 5

COURT (NAME, ADDRESS, TELEPHONE NO.)

BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000

Defendant Name KELLY SIMMONS

Address (LKA) 431 VINE STREET

BRICK NJ 08723

SS No [REDACTED]

City, State

10-19-1984

00-00-0000

Date of birth

Date of arrest

COURT DOCKET NUMBER(S)

Number of co-defendants

001

Dr. Lic.#

SBI No.

Complainant
Name:

DETECTIVE C ROONEY

COMPLAINT - WARRANT

Residing at BRICK TWP. POLICE DE
BRICK NJ 08723

(ADDRESS OF PRIVATE CITIZEN COMPLAINANT)

(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Upon oath says that, to the best of (his) (her) knowledge,
information and belief, the named defendant on or about the

10 day of 03, 2004, in BRICK TWP

MUNICIPAL CODE NO.
1506

County of OCN N.J.

did;

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF FORGERY ON 03-25-04 BY UTTERING CHECK #600 IN THE AMOUNT OF \$600.00 WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:21-1A(3); AND

WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF THEFT BY DECEPTION BETWEEN MARCH 10 AND MARCH 25, 2004 BY PREVENTING OCEAN FIRST BANK FROM ACQUIRING INFORMATION WHICH WOULD AFFECT THEIR JUDGEMENT OF A TRANSACTION BY PASSING 14 CHECKS IN THE AMOUNT OF \$5,305.00, WHICH SHE KNEW TO BE FORGED, IN VIOLATION OF N.J.S. 2C:20-4B.

PROBABLE CAUSE HAS BEEN FOUND FOR THE ISSUANCE OF THIS COMPLAINT.

In Violation Of:

☐

Domestic Violence - Confidential

Charge Number 10		Charge Number 11		Charge Number 12	
N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:21-1A(3)	ACSX
Charge Number As Amended	ACSX	Charge Number As Amended	ACSX	Charge Number As Amended	ACSX
N.J.S.	ACSX	N.J.S.	ACSX	N.J.S.	ACSX

Subscribed and sworn to before me this 10 day of April, 2004.

Signed [Signature] Signed [Signature]

(NAME AND TITLE OF PERSON ADMINISTERING OATH) (COMPLAINANT)

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT, YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY

FOR. BRANT COLLINS IN THE AMOUNT OF \$5,000.00 / FULL

DATE WARRANT ISSUED 05/19/2004 COURT APPEARANCE DATE 05/19/2004 TIME 09:00 AM

(SIGNATURE OF JUDICIAL OFFICER)

TITLE

FIRST APPEARANCE				COURT ACTION (Where Judgement or Conditional Discharge is Entered)							
				☐ ADVISED OF RIGHTS				METHOD OF SERVICE:			
CHARGES	WAIVER INDT / JURY	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH	DATE	COND DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. IMP.
10											
11											
12											

OTHER COURT ACTION		Total DEDR Penalty Amount:		Total Violent Crimes Assessment Amount:	
DATE	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE	Total Lab Fee	Conditional Disc. Fee	DL. Susp.	Institution to Which Sentenced
DATE	COMPLAINT REFERRED TO PROSECUTOR	Community Service	Restitution		JAIL TIME CREDIT

Domestic Violence: ☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM
☐ NO POSSESSION OF FIREARMS / WEAPONS

POLICE CASE NO.

16463-04

The State of New Jersey

W-2004-000628-1506
PAGE 5 OF 5

COURT (NAME, ADDRESS, TELEPHONE NO.)

BRICK TWP
401 CHAMBERS BRIDGE
BRICK NJ 08723
732-477-3000

Defendant Name KELLY SIMMONS

Address (LKA) 431 VINE STREET

COUNTY OF

N.J.

COURT CODE

BRICK

NJ 08723

SS No

City, State

COURT DOCKET NUMBER(S)

10-19-1984

00-00-0000

Date of birth

Date of arrest

Number of co-defendants

001

Dr. Lic.#

SBI No.

COMPLAINT WARRANT

Complainant Name:

DETECTIVE C ROONEY

of

(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Residing at BRICK TWP. POLICE DE
BRICK NJ 08723

(ADDRESS OF PRIVATE CITIZEN COMPLAINANT)

Upon oath says that, to the best of (his) (her) knowledge, information and belief, the named defendant on or about the

MUNICIPAL CODE NO.

1506

County of OCN

N.J.

10 day of 03, 2004, in BRICK TWP

did;

In Violation Of:

☐ Domestic Violence - Confidential

Charge Number 13		Charge Number 14		Charge Number 15	
N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:21-1A(3)	ACSX	N.J.S. 2C:20-48	ACSX
Charge Number 13	As Amended	Charge Number 14	As Amended	Charge Number 15	As Amended
N.J.S.	ACSX	N.J.S.	ACSX	N.J.S.	ACSX

Signed _____ day of April, 2004

(NAME AND TITLE OF PERSON ADMINISTERING OATH)

Signed

(COMPLAINANT)

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT, YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THIS COURT TO ANSWER THIS COMPLAINT. BAIL HAS BEEN FIXED BY JON. BRANT'S COLLINS IN THE AMOUNT OF \$5,000.00 FULL DATE WARRANT ISSUED / COURT APPEARANCE DATE 05/19/2004 TIME 09:00 AM

(SIGNATURE OF JUDICIAL OFFICER)

TITLE

FIRST APPEARANCE				COURT ACTION (Where Judgement or Conditional Discharge is Entered)							
CHARGES	WAIVER INDT / JURY	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH.	DATE	COND DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. IMP.
13											
14											
15											

OTHER COURT ACTION		Total DEDR Penalty Amount:		Total Violent Crimes Assessment Amount:	
DATE	DEFENDANT DISCHARGED AS TO PROBABLE CAUSE PROSECUTOR GIVEN PRIOR NOTICE	Total Lab Fee	Conditional Disc. Fee	DL. Susp.	Institution to Which Sentenced
DATE	COMPLAINT REFERRED TO PROSECUTOR	Community Service	Restitution		JAIL TIME CREDIT

Domestic Violence: ☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM

**AFFIDAVIT IN SUPPORT OF
APPLICATION FOR ARREST WARRANT**

STATE OF NEW JERSEY

VS.

CARL VINCENT LACERDA
KELLY MARIE SIMMONS

STATE OF NEW JERSEY)
) SS
COUNTY OF OCEAN)

I, **Detective Chris Rooney**, of full age, being duly sworn according to law upon his oath, deposes and says:

1. I am employed as a Detective with the Brick Township Police Department.
2. In the course of my duties, I have had occasion to investigate offenses regarding, but not limited to, **Bad Checks and Theft by Deception.**

3. I have probable cause to believe that **Carl Lacerda and Kelly Simmons** committed the aforesaid offense.

4. The basis of my probable cause is as follows:

A. On March 25, 2004, John Dougherty, reported to Brick Police that in late November 2003, he contracted with "All Things Incorporated" for extensive home renovations to his residence at 1625 West Princeton Ave.. On Monday, March 22, 2004,

Dougherty discovered approximately \$200.00 worth of electronics missing from the residence.

B. On March 25, 2004, Dougherty received a phone call from Ocean First Bank inquiring if he wrote out a payroll check for \$400.00 to a Kelly Simmons. Dougherty did not write the check and upon checking his statement realized 14 checks totaling \$5,305.00 to be fraudulent.

C. The owner of "All Things Inc.", Patricia Scianimanico reported the one of her employees, Levys Sotomayor, has been observed inside 1625 West Princeton Ave. after normal work hours. Sotomayor is known to be the boyfriend of Kelly Simmons.

D. On March 25, 2004, Brick Police responded to the Ocean First Bank on Adamston Road in reference to the fraudulent check being passed. Police recovered a New Jersey driver's license and an Ocean County Identification in the name of Carl Lacerda left by the subject attempting to pass the check. The driver drove off when the tellers questioned the transaction.

E. I interviewed Ocean First tellers Elizabeth Bowden and Amber Guetherman who handled most of the transactions on Dougherty's stolen checks. Bowden and Guetherman said the same female present on all of the transactions. They both recognized the female as Kelly Simmons from attending high school together. They further said the male who left the identification in the name of Carl Lacerda was always with Simmons when the stolen checks were cashed.

5. Forgery case. Yes X No

A. Was document forged or particularly described in complaint as required in Directive 2003-65 on complaint signing? Yes X No

B. Did defendant obtain any money goods or services as a result of the forged item? Yes X No

C. Number of items forged. 14

D. Amount defendant obtained \$5,305.00

6. Credit Card Fraud. Yes No X

A. Was the credit card used particularly described in the complaint as required in Directive 2003-65 on complaint signing? Yes No X

B. Did the defendant obtain any money, goods or services as a result of the credit card use? Yes No X

C. Number of times the credit card was used. NA

D. Amount the defendant obtained NA

7. Statement of defendant implicating him/herself. Yes No X

THE FOLLOWING APPLIES TO ANY CHARGES SECOND DEGREE OR GREATER

8. I am signing charges which are second degree or greater. Yes No X

A. If the answer to the above is yes, name the Assistant Prosecutor who approved the signing of the complaint. NA

Based on the above, I have probable cause to believe and do believe that **Carl Lacerda and Kelly Simmons** violated the following New Jersey Statute:

1. did unlawfully commit the offense of Forgery on 03-10-04 by uttering check #511 in the amount of \$75.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

2. did unlawfully commit the offense of Forgery on 03-11-04 by uttering check #512 in the amount of \$250.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

3. did unlawfully commit the offense of Forgery on 03-12-04 by uttering check #513 in the amount of \$300.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

4. did unlawfully commit the offense of Forgery on 03-15-04 by uttering check #572 in the amount of \$400.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

5. did unlawfully commit the offense of Forgery on 03-16-04 by uttering check #574 in the amount of \$500.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

6. did unlawfully commit the offense of Forgery on 03-19-04 by uttering check #575 in the amount of \$360.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

7. did unlawfully commit the offense of Forgery on 03-20-04 by uttering check #576 in the amount of \$400.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

8. did unlawfully commit the offense of Forgery on 03-22-04 by uttering check #577 in the amount of \$400.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

9. did unlawfully commit the offense of Forgery on 03-22-04 by uttering check #578 in the amount of \$170.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

10. did unlawfully commit the offense of Forgery on 03-23-04 by uttering check #579 in the amount of \$500.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

11. did unlawfully commit the offense of Forgery on 03-23-04 by uttering check #580 in the amount of \$200.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

12. did unlawfully commit the offense of Forgery on 03-24-04 by uttering check #581 in the amount of \$650.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

13. did unlawfully commit the offense of Forgery on 03-25-04 by uttering check #582 in the amount of \$500.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

14. did unlawfully commit the offense of Forgery on 03-25-04 by uttering check #600 in the amount of \$600.00 which he knew to be forged, in violation of N.J.S. 2C:21-1a(3); and

15. did unlawfully commit the offense of Theft by Deception between March 10 and March 25, 2004 by preventing Ocean First bank from acquiring information

which would affect their judgement of a transaction by passing 14 checks in the amount of \$5,305.00, which they knew to be forged, in violation of N.J.S. 2C:20-4b.

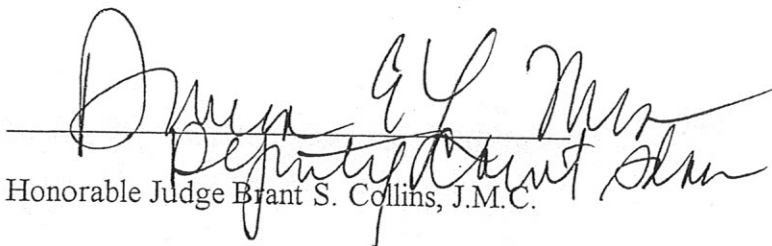
Therefore, I respectfully request the Court to issue a warrant for the arrest of **Carl Lacerda and Kelly Simmons** for the aforesaid crime.



Detective Chris Rooney

Sworn to and subscribed before me

this 15th day of April 2004.



Honorable Judge Brant S. Collins, J.M.C.

Judge of the Brick Township. Municipal Court.