

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# 15000685 – Kelly Simmons

Dear Sir/Madam:

Enclosed please find the Complaint Summons and the Global Subject Activity Report 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. Criminal history record information has been redacted pursuant to N.J.A.C. 13:59-1.2.

Please be advised that there are no responsive documents pursuant to your request for the Preliminary Law Enforcement Incident Report, Affidavit, 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

*File req 8/3
(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-nuFa6vu1GbqKItiRUuDzTkvxndbxBUaaLggAH1weDX_LIL2bPP6VJ6qine5EFxB4LHpl9nlh3Fb6mgqUSy--uMW2LD26Ugr928mCEuUCWgsqw&typo=1

View this OPRA request & responses online:

COMPLAINT - SUMMONS

COMPLAINT NUMBER			
1506	S	2015	000171
COURT CODE	PREFIX	YEAR	SEQUENCE NO.
BRICK TOWNSHIP MUNICIPAL COURT 401 CHAMBERS BRIDGE BRICK NJ 08723 (732) 262-1226 COUNTY OF: OCEAN			
# of CHARGES 1	CO-DEFTS	POLICE CASE #: 7740-15	
COMPLAINANT NAME: MICHAEL BEVACQUA DET. 401 CHAMBERS BRDG RD ATTN WARRANTS BRICK TOWN NJ 08723		DEFENDANT INFORMATION SEX: F EYE COLOR: HAZEL DOB: 10-19-1984 DRIVER'S LIC. #: [REDACTED] DL STATE: NJ SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED]	

ADDRESS: **431 VINE ST**
BRICK NJ 08723

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **12-12-2014** in **BRICK TWP**, **OCEAN** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DID COMMIT THE OFFENSE OF THEFT ON DECEMBER 12, 2014, SPECIFICALLY BY STEALING A GOLD DIAMOND RUBY RING BELONGING TO HER MOTHER VALUED AT \$1,000.00 IN VIOLATION OF 2C:20-3A

in violation of:

Original Charge	1) 2C:20-3A	2)	3)
Amended Charge			

CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are wilfully false, I am subject to punishment.

Signed: **MICHAEL BEVACQUA DET.** Date: **02-17-2015**

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS:

YOU ARE HEREBY SUMMONED to appear before this court to answer this complaint. If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

DATE TO APPEAR: **03-04-2015** TIME: **9:00am** **MICHAEL BEVACQUA DET.** **02-17-2015**
Signature of Person Issuing Summons Date

- | | | |
|---|--|--|
| ☐ Domestic Violence – Confidential | ☐ Related Traffic Tickets or Other Complaints | ☐ Serious Personal Injury/ Death Involved |
|---|--|--|

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
- ☐ No possession firearms/weapons
- ☐ Other (specify):

ORIGINAL

COMPLAINT – SUMMONS (Court Action)

COMPLAINT NUMBER

1506**S****2015****000171**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

STATE V.**KELLY M SIMMONS****FTA Bail Information**

Date Bail Set: _____

Amount Bail Set: \$ _____

by: _____

☐ Bail Recog. AttachedReleased
on Bail

R.O.R.

Committed
DefaultCommitted
w/o Bail

Place Committed: _____

Date Referred to

County Prosecutor: _____

Date of First
Appearance:**03-04-2015**☐ Advised of Rights by _____

Defendant Desires Counsel:

☐ Yes ☐ No**Prosecuting Attorney Information****Defense Counsel Information****Name:****Name:**

State

County

Municipal

Other

None

Retained

Public Def

Assigned

Waived

Other

Original Charge

1) **2C:20-3A**

2)

3)

Amended Charge

Waiver Indt/Jury

Plea/Date of Plea

Plea:

Date:

Plea:

Date:

Plea:

Date:

Adjudication (* see code)

Finding
Code:

Date:

Finding
Code:

Date:

Finding
Code:

Date:

Jail Term

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Jail time credit

Susp. Imp

Probation Term

Susp. Imp

Susp. Imp

Susp. Imp

Cond. Discharge Term

Community Service

D/L Suspension Term

Fines/Costs

Fines:

Costs:

Fines:

Costs:

Fines:

Costs:

VCCB/SNSF

VCCB:

SNSF:

VCCB:

SNSF:

VCCB:

SNSF:

DEDR/Lab Fee

DEDR:

LAB:

DEDR:

LAB:

DEDR:

LAB:

CD Fee/Drug Ed Fnd

CD:

DAEF:

CD:

DAEF:

CD:

DAEF:

DV Surch/Other Fees

DV:

Other:

DV:

Other:

DV:

Other:

Restitution

Beneficiary: _____

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:*** Finding Codes**

- 1 – Guilty
- 2 – Not Guilty
- 3 – Dismissed – Other
- 4 – Guilty but Merged
- 5 – Dismissed-Rule
- 6 – Dismissed Lack of Prosecution
- 7 – Dismissed – Pros Motion/Vic Req
- 8 – Conditional Discharge
- D – Dismissed- Prosecutor Discretion
- M – Dismissed- Mediation
- P – Dismissed-Plea Agreement
- S – Disposed at Superior
- W – Dismissed-False ID

ORIGINAL – Court Action

JUDGE'S SIGNATURE _____

DATE _____

Page 2 of 7

NJ/CDR1 8/1/2005



Global Subject Activity Report

Detail



Print Date/Time: 02/26/2015 10:37

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Simmons, Kelly Marie

Jacket: 800244063 A

SSN:

Address: 431 VINE ST
BRICK
TOWNSHIP
NJ 08723

Sex: Female

Phone #:

Height: 5ft 7in to 5ft 7in

Weight: 120.0 lbs. to
120.0 lbs.

DOB: 10/19/1984

Eyes: Hazel

Race: White

Hair: Unknown or
Bald

DL State: NJ

DL#:

Physical Characteristics:

Appearance: Normal
Hair Style: Straight
Hair Length: Shoulder
Facial Shape: Oval
Complexion: Acne
Build: Medium
Glasses: No
Teeth: Normal
Speech: Normal
Voice: Medium Pitch

Country/State of Birth: US?NJ
City of Birth: Neptune
County of Origin: Monmouth
Ethnicity: Non Hispanic
Citizenship: US Citizen
Tribe: Not Applicable
Hate Group: Not Applicable
Military Service: Not Applicable
Military Discharge:
School: High School -
Diploma

Age Range:
Hand Preference: Right
Place of Birth:
Occupation: Employed
of Dependents: 2
Primary Language: English
Second Language:
Gang Affiliation: Not Applicable
Marital Status: Single
Blood Type: Unknown

Mustache: None
Known Offender: No
DNA Collected: No

Beard: None
DNA Collected Date:

Religion: None
Illegal Alien: No

Modus Operandi

Selective In Proceeds

County of Conviction:

Identifying Clothing:

State Of Conviction:

Crime Specialities

Aliases

Type	Alias	DOB	Race	Sex	SSN	Hair	Eyes	DL#	Height	Weight	Phone
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Nicknames

Entered Date/Time	Nickname Type	Nickname
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Associated IDs

Issue Date	ID Type	Number	Issuing State	Start Date	Expire Date
	*FBI	769901EC8			
	*SBI	244887D			

Known Associates

Relationship	Name
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School/Employer Information

Relationship	School/Employer Name	Phone Type	Phone
Employer	Famous Dave's Restaurant		
Employer Business	Famous Daves	Business	

Scars, Marks, Tattoos

Type	Location	Scar, Mark or Tattoo Detail	Description
Tattoo	TAT WRS	Do Not Use	Tattoo Wrist

Handicap Information

Handicap

Current Address Information



Global Subject Activity Report

Detail



Print Date/Time: 02/26/2015 10:37

Login ID: jsisco

Brick Township Police Department

ORI Number: NJ0150600

Address Type	Address	City	State	Zip
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Prior Address Information

Address Type	Address	City	State	Zip	From Date	To Date
Home						
Home						

Contact Information

Date	Type	Phone	Extension
02/17/2015 10:43	Cell		
04/08/2014 12:00	Cell		

Vehicle Information

Vehicle #	Role	Contact Date	Vehicle Type	Make	Model	Vehicle Year	Registration Number	State
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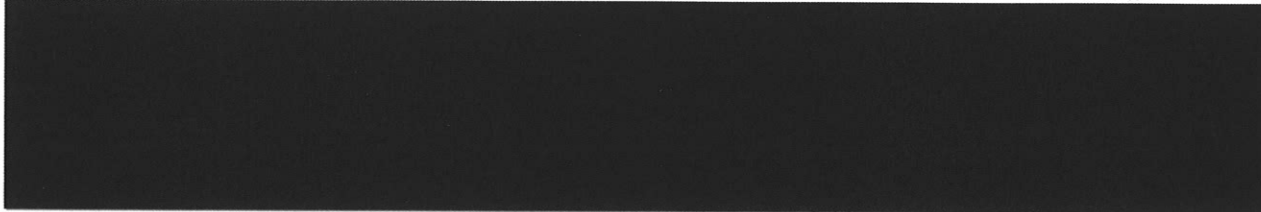
Global Subject Activity Report

Detail



Print Date/Time: 02/26/2015 10:37
Login ID: jsisco
Activity

Brick Township Police Department
ORI Number: NJ0150600



Type : Arrest

Date	Activity Reference	Description	ORI
02/17/2015 10:00	43237	Arrest Type: Summons Charge(s): 2C:20-3a, Theft of Movable Property	NJ0150600

Type : Booking

Date	Activity Reference	Description	ORI
02/17/2015 10:08	2015-00000261	Booking Charge(s): 2C:20-3a, Theft of Movable Property	NJ0150600



Total Activity :