

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# 08051893 – Kelly Simmons

Dear Sir/Madam:

Enclosed please find the Complaint Summons and Arrest 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.

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

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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****2008****000785**

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 #:

2008-29009

COMPLAINANT
NAME:

JOSEPH FARNKOPF

401 CHAMBERS BRDG RD

ATTN WARRANTS

BRICK TOWN

NJ 08723

*THE STATE OF NEW JERSEY**VS.***KELLY M MUNLEY**

ADDRESS:

431 VINE ST**BRICK****NJ 08723**

DEFENDANT INFORMATION

SEX: **F** EYE COLOR: **HAZEL**DOB: **10-19-1984**

DRIVER'S LIC. #:

DL STATE: **NJ**

SOCIAL SECURITY #:

SBI #:

TELEPHONE #:

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 **05-22-2008** in **BRICK TWP**, **OCEAN** County, **NJ** did: WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A CONTROLLED DANGEROUS SUBSTANCE, TO WIT MARIJUANA, IN A QUANTITY OF 50 GRAMS OR LESS.

In violation of:

Original Charge

1) **2C:35-10A(4)**

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: JOSEPH FARNKOPF Date: 05-22-2008

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: 06-05-2008 TIME: 4:00pm**JOSEPH FARNKOPF****05-22-2008**

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):**POLICE COPY**

ARREST REPORT

1. DEPARTMENT BRICK TOWNSHIP POLICE		2. ORI NO. NJ 0150600		3. DEPT CASE NO.		4. POS. CASE NO.		5. INCIDENT NO. 29009-08																	
6. SUBJECT NO. 202		7. NAME (LAST, FIRST, MIDDLE) MUNLEY, KELLY MARIE				8. PHONE (AREA)		9. ALIAS/NICKNAME KELLY SIMMONS																	
10. ADDRESS (STREET, MUN., STATE, ZIP) 431 VINE STREET BRICK, NJ 08723						11. POB NEPTUNE, NJ		12. U. S. CITIZEN ☐ NO ☒ YES ☐ UNK																	
13. AGE 23		14. DOB (MM/DD/YY) 10/12/84		15. SEX F		16. RACE W		17. HISPANIC ☐ YES ☒ NO ☐ UNK		18. HT. (FT/IN) 5'7		19. WEIGHT 142		20. HAIR BRN		21. EYES HAZ		23. ☒ RIGHT HANDED ☐ LEFT-HANDED		23. ☒ RESIDENT ☐ NON-RESIDENT ☐ UNKNOWN					
24. DESCRIPTIVE - SCARS - MARKS - TATTOOS TATTOO STOMACH - FLOWER						25. OCCUPATION —						26. BUSINESS PHONE (AREA) —						28. SOCIAL SECURITY NO. —							
27. EMPLOYER / SCHOOL N/A						29. EMPLOYERS ADDRESS (STREET, MUN., STATE, ZIP) —						30. DRIVER'S LICENSE NO. —						36. STATE —							
31. FBI NO.		32. SBI NO.		33. LOCAL AGENCY NO.		34. OTHER ID NO (TYPE)		35. DRIVER'S LICENSE NO.		36. STATE		37. COMPLEXION		38. HAIR STYLE		39. HAIR LENGTH		40. FACIAL HAIR		41. BUILD		42. SPEECH		43. WEAPON	
1. PALE		1. NOT APPLICABLE		1. SHAVED		1. NOT APPLICABLE		1. THIN		1. NORMAL		1. NONE		2. AFRO		2. BALD		2. CLEAN SHAVEN		2. MEDIUM		2. ACCENT		2. AUTOMATIC	
3. MEDIUM		3. BRAIDED		3. BALDING		3. UNSHAVEN		3. STOCKY		3. NON ENGLISH		3. HANDGUN		4. DARK		4. SHORT		4. SIDEBURNS		4. HEAVY		4. HIGH PITCH		4. SHOTGUN	
5. TANNED		5. CREW CUT		5. NECK LEN		5. MUSTACHE		5. OBESE		5. LOW PITCH		5. RIFLE		6. JAUNDICED		6. COLLAR		6. FU MANCHU		6. OTHER		6. NASAL		6. OTHER FIREARM	
7. ACNE		7. PONYTAIL		7. SHOULDERS		7. LOWER LIP		7. GOATEE		7. RASPY		7. KNIFE / CUT INST.		8. FRECKLED		8. PROCESSED		8. FULL BEARD		8. STUTTERS		8. UNKNOWN FIREARM		8. CLUB / BLACKJACK	
9. POCKED		9. STRAIGHT		9. OTHER		9. OTHER		9. OTHER		9. OTHER		9. OTHER		10. RUDDY		10. WAVY / CURLY		10. OTHER		10. OTHER		10. OTHER		10. OTHER	
11. OTHER		11. WIG		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER		12. OTHER	
44. LOCATION OF OFFENSE (STREET, MUN., STATE, ZIP) INDUSTRIAL PARKWAY		45. ARREST DATE (MM/DD/YY) 5/22/08		46. TIME 1956		47. LOCATION OF ARREST (STREET, MUN., STATE, ZIP) INDUSTRIAL PARKWAY		48. CRIMINAL WAR. / SUMMONS NO. SD06000785		49. CRIME / OFFENSE POSSESSION OF C.D.S (MARIJUANA, 506 OR UNDER)		50. NJ STATUTE 2C:35-10A(4)		51. UCR CODE											
52. TOTAL NO. OF CHARGES 1		53. DATE OF OFFENSE 5/22/08		54. MV SUMMONS / WARRANT NO. —		55. TELETYPE NO. —		56. N.C.I.C. CHECK ☐ NO CHECK ☒ NO RECORD		57. CONSTITUTIONAL RIGHTS BY WHOM ☒ NO ☐ YES		HOW RESPONDED													
58. COMPLAINTS NAME (LAST, FIRST, MIDDLE) AL. JOS. FARNKOPF #113		59. PHOTOGRAPHED ☐ NO ☒ YES		60. PHOTO NUMBER —		61. COMPLAINTS ADDRESS (STREET, MUN., STATE, ZIP) BTDP		62. COMPLAINTS PHONE NO. (AREA) —		63. JUDGE SETTING BAIL N/A		64. DATE —		65. TIME —		66. AMOUNT —		67. RESULT RELEASED ON SUMMONS							
68. FINAL DISPOSITION —		69. DATE —		70. PERSONAL PROPERTY TAKEN? ☒ NO ☐ YES		71. SIGNATURE OF ARRESTEE —		72. VEHICLE OWNER'S NAME THOMAS J. MUNLEY JR.		73. YEAR 99		74. MAKE Ford		75. MODEL XPD		76. BODY TYPE 4DR		77. COLOR GRN		78. REGISTRATION NO. STATE —		79. V.I.N. / OTHER IDENTIFYING NO. —			
JUVENILE RELEASE SECTION / NEXT OF KIN INFORMATION																									
79. JUVENILE OR NEXT OF KIN INFORMATION PARENT / GUARDIAN / PROBATION NAME STREET ADDRESS N/A																									
80. DATE CONTACTED —																									
81. TIME CONTACTED —																									
82. RELEASED TO / DETAINED AT (SIGNATURE) —																									
83. DATE —																									
84. TIME —																									
85. JUVENILE DISPOSITION ☐ REFERRED TO CHILD WELFARE AGENCY ☐ HANDLED WITHIN DEPARTMENT ☐ REFERRED TO OTHER POLICE AGENCY ☐ REFERRED TO ADULT COURT ☐ REFERRED TO JV COURT OR PROBATION																									
86. OFFICER RELEASING JUVENILE SIGNATURE —																									
87. BADGE NO. —																									
88. NARRATIVE / ADDITIONAL CHARGES SEE NARRATIVE / CONTINUATION PAGES																									
89. PRINT NAME / OFF NAME AL. JOS. FARNKOPF																									
90. SIGNATURE —																									
91. BADGE NO. 123																									
92. PAGE NO. 3 OF 7																									
93. REPORT DATE 05/22/08																									
94. REVIEWED BY N131																									