State of New Jersey v. KELLY SIMMONS SBI #: IND/ACC #:

Total FINE: $[Total fine]

Total RESTITUTION: $[Total Restitution]

If the offense occurred on or after December 23, 1991, an assessment of $50 is imposed on each count on which the defendant was convicted unless the box below indicates a higher assessment pursuant to N.J.S.A. 2C:43-3.1. (Assessment is $30 if offense is on or after January 9. 1986 but before December 23, 1991, unless a higher penalty is noted. Assessment is $25 if offense is before January 9, 1986.)
( ) Assessment imposed on

count(s):

is $ each.

Total VCCB Assessment: $

( ) Installment payments due at the rate of $

per
beginning (date):

If any of the offenses occurred on or after July 9, 1987, and is for a violation of Chapter 35 or 36 of Title 2c,

1) A mandatory Drug Enforcement and Demand Reduction (D.E.D.R.) penalty is imposed for each count. (Write in # times for each)

___1st Degree @ $3000
___2nd Degree @ $2000
___3rd Degree @ $1000
___4th Degree @ $750
___Disorderly Persons or Petty Disorderly Persons at $500

Total D.E.D.R. Penalty $

( ) Court further ORDERS that collection of the D.E.D.R. penalty be suspended upon defendant's entry into a residential drug program for the term of the program.

2) A forensic laboratory fee of $50 per offense is ORDERED.

Offenses @ $50 Total lab fees: $

3) Name of Drugs involved:

4) A mandatory driver's license suspension of months is ORDERED.

The suspension shall begin today [Date] and end

Driver's License Number:

(IF THE COURT IS UNABLE TO COLLECT THE LICENSE, PLEASE ALSO COMPLETE THE FOLLOWING.)
Defendant's address:

Eye color: Sex: Date of birth:

( ) The defendant is the holder of an out-of-state driver's license from the following jurisdiction:
Driver's License Number:

( ) Defendant's non-resident driving privileges are hereby revoked for months.

If the offense occurred on or after February 1, 1993 but was before March 13, 1995, and the sentence is to probation or to a State Correctional facility, a transaction fee of up to $1.00 is ordered for each occasion when a payment or installment payment is made. (P.L. 1992, c. 169). 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, a transaction fee of up to $2.00 is ordered for each occasion when a payment is made. (P.L. 1995, c.9).

If the offense occurred on or after August 2, 1993, a $75 Safe Neighborhood Services Fund assessment is ordered for each conviction. (P.L. 1993, c. 220) $

If the offense occurred on or after January 5, 1994 and the sentence is to probation, a fee of up to $25 per month for the probationary term is ordered. (P.L. 1993, c. 275) Amount per month: $

If the crime occured on or after January 9, 1997, a $30 Law Enforcement Officers Training and Equipment Fund penalty is ordered.

Name (Court clerk or Person preparing this form):	Telephone number:	Name (Attorney for Defendant at Sentencing): [Attorney name]

STATEMENT OF REASONS - Include all applicable aggravating and mitigating factors.

PLEASE DISMISS COMPLAINT NOS. W-2004-1815-1303 AND S-2004-1814-1303 AGAINST KELLY SIMMONS AS PER THE PLEA AGREEMENT OF HER DEFENDANT IN ACCUSATION NO. 05-01-0055A.

It is hereby ORDERED that the above Indictment be dismissed without prejudice.....

JUDGE: ANTHONY J. MELLACI, JR., JSC	JUDGE (Signature):	DATE

State of New Jersey v. KELLY SIMMONS		New Jersey Superior Court Law Division - Criminal Monmouth County ( ) Judgment of Conviction ( ) Change of Judgment ( ) Order for Commitment (X) Indictment / Accusation Dismissed ( ) Judgment of Acquittal
Date of Birth: 10/19/84	SBI Number:	
Date of Arrest:	Date Indictment/Accusation Filed:	
Date of Original Plea:	Original Plea:	

Adjudication by: ( ) Guilty Plea Date: ( ) Non-Jury Trial Date:
( ) Jury Trial Date: ( ) Dismissed / Acquitted Date:

ORIGINAL CHARGES

IND / ACC NO.	COUNT	DESCRIPTION	DEGREE	STATUTE
W-2004-1815-1303	1	POSSESSION CDS	3RD	2C:35-10A(1)
S-2004-1814-1303	1	POSSESSION CDS – MARIJUANA	DP	2C:35-10A(4)
	2	POSSESSION NAR PARA.	DP	2C:36-2

FINAL CHARGES

COUNT	DESCRIPTION	DEGREE	STATUTE

It is therefore, on [Date] ORDERED and ADJUDGED that the defendant is sentenced as follows:

( ) It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

( ) Defendant is to receive credit for time spent in custody (R. 3:21-8).	TOTAL NUMBER OF DAYS	DATE (From/To)E
( ) Defendant is to receive gap time credit for time spent in custody (N.J.S.A. 2C:44-5b(2)).	TOTAL NUMBER OF DAYS	DATE (From/To)

Total Custodial Term	Institution	Total Probation Term

Administrative Office of the Courts
State Bureau of Identification
CPO106 (9/98)
COPIES TO: CHIEF PROBATION OFFICER STATE POLICE AOC CRIMINAL PRACTICE DIVISION DEPT OF CORRECTIONS OR COUNTY PENAL INSTITUTION

POLICE DEPARTMENT
MONMOUTH COUNTY UNIFORM CRIME REPORT
ARREST REPORT

Identification Number

0. AGENCY: MCPO/TNT

1. Complaint Number	2. Mun. Code	3. Phone	4. UCR	21. Prosecutor's Case Number	22. Department Case Number
04-18060	1303	774-1300			20489

7. Name Last	First	Middle	8. Phone	9. Alias-Nickname
SIMMONS	KELLY	MARIE	262-1576	

10. Full Address - Number - Street - Municipality - Zip Code	11. Place of Birth
431 VINE STREET , BRICK NJ 08723	NEPTUNE , NJ

12. Date of Birth	13. Age	14. Sex	15 Race	16. Height	17. Weight	18. Hair	19. Eyes	20. Complexion	21. Marital Status
10/19/84	19	F	W	5'7	125	BROWN	HAZ	LIGHT	SINGLE

22. Other Descriptive Information	23. Driver's License Number
JEAN SHORTS, BLUE W "7" ON FRONT TEE SHIRT	

24. Employer	25. Occupation	26. Social Security Number
UNEMPLOYED	N/A	[redacted]

27. Employer's Address	28. Business Phone
N/A	N/A

DETAILS OF ARREST

29. Arrest Date	30. Time	31. Location of Arrest	32. Municipal Code
07/07/2004	14:24	1208 11 TH AVE. NEPTUNE TWP, NJ	1334

33. Crime	34. N.J.S. Statute	35. Arresting Officer
POSSESSION CDS COCAINE *****	2C:35-10A	DET. SAMIS

36. Complainant's Name and Address - Zip Code	37. Phone Number
DET. SAMIS #145 MCPO/TNT	431-7012

38. Crime Date	39. Time	40. Location of Crime	41. Municipal Code
07/07/2004	14:24	AVENUE A 10 BLOCK /ASBURY PARK	1303

42. Arrest Type	43. Juvenile Status	44. Code	45. Constitutional Rights - By Whom	46. How Responded
ON, VIEW			NO	N/A

47. Own	48. Multiple	49. Other	50. Printed	51. Photo	52. Prev. Rec.	53. UCR - A.S.R. Reported Month	Year
YES	NO	NO	YES	YES	NO		

54. Vehicle Information - Year - Make - Body Type - Color - Registration Number & State - Other Descriptive Information
MAZ,1987,PICK-UP, GRAY, NJ REG: [redacted]

BAIL HEARING

55. Date	56. Court	57. Judge/Authorized Person
07/07/2004	ASBURY PARK MUNICIPAL COURT	APOSTOLOU

58. Amount Bail	59. Results of Hearing	60. Code	61. Place Committed/Detained
10,000.00	TOT MCCI		APPD

FINAL RESULTS

62. Date	63. Court	64. Judge

65. Verdict	66. Code	67. Disposition	68. Date	69. Code

JUVENILE INFORMATION

70. Parent/Guardian Contacted By	71. Date	72. Time	73. Released To: Relationship

74. Full Address - Number - Street - Municipality - State - Zip Code	75. Date	76. Time	77. Phone Number

78. Parent/Guardian	79. Full Address - Number - Street - Municipality - State - Zip Code	80. Phone Number

81.	82.	83.	84.	85.	86.	87.	88.

88. Narrative THE ACCUSED WAS ARRESTED DURING A NARCOTIC INVESTIGATION. THE ACCUSED WAS PROCESSED AND TOT MCCI.

***ADDTIONAL CHARGE: POSSESSION CDS MARIJUANA U 50 GRAMS 2C:35-10A(4), POSSESSION CDS PARAPHERNALIA 2C:36-2.

Name DET. SAMIS	91. Badge Number	92. Completed	93. Date of Report	94. Reviewed
	145	YES	07/07/2004	145/SS

POLICE CASE NO. 04-18060

COURT (NAME, ADDRESS, TELEPHONE NO.)
ASBURY PARK CITY
ONE MUNICIPAL PLAZA
ASBURY PARK NJ 07712
732-775-1715

COUNTY OF MONMOUTH N.J. | COURT CODE 1205

COURT DOCKET NUMBER(S)

The State of New Jersey

vs.

KELLY M SIMMONS

W-2004-001915-1205
PAGE 1 OF 1
W04-815

Defendant Name

481 MINE STREET

Address FREEHOLD NJ 07728 | SS No. [redacted]

City, State ASBURY PARK | [redacted]

Date of birth Date of arrest

000

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

COMPLAINT - WARRANT

Complainant Name: DET. E. BAMIE

Residing at 153 JERSEYVILLE AVEN FREEHOLD NJ 07728

(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 07 day of 07 20 04 in ASBURY PARK CITY MUNICIPAL CODE NO. MON County of MONMOUTH N.J.

did WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A CONTROLLED DANGEROUS SUBSTANCE, TO WIT CRACK COCAINE.

PIC CRIME + JUST POSTED BAIL ON CDS VIOLATIONS CHARGES NEPTUNE CITY.

In Violation Of: ☐ Domestic Violence - Confidential

Charge Number N.J.S.	ACSX	Charge Number N.J.S.	ACSX	Charge Number N.J.S.	ACSX
2C:35-10A(1)					
Charge Number N.J.S. As Amended	ACSX	Charge Number N.J.S. As Amended	ACSX	Charge Number N.J.S. As Amended	ACSX

Subscribed and sworn to before me this 7th day of July 20 04

Signed (NAME AND TITLE OF PERSON ADMINISTERING OATH)

Signed DET. E. BAMIE (COMPLAINANT)

TO ANY PEACE OFFICER IN THIS STATE: 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 AGOSTOLO IN THE AMOUNT OF $ 10,000.00 NO 10% NOT FOUND

DATE WARRANT ISSUED 7/7/04 COURT APPEARANCE DATE 07/16/2004 TIME 10:59 AM

(SIGNATURE OF JUDICIAL OFFICER) Dep. Ct. Adm. TITLE

FIRST APPEARANCE				COURT ACTION (Where Judgement or Conditional Discharge is Entered) ☐ ADVISED OF RIGHTS			METHOD OF SERVICE:				
CHARGES	WAIVER (NOT / JURY)	PLEA	DATE OF PLEA	ADJUDICATION OR COND. DISCH.	DATE	COND. DISCHARGE TERM	JAIL TERM	FINE	COSTS	PROBATION TERM	SUSP. SP.
NUMBER 1											
NUMBER											
NUMBER											

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 7-80	COMPLAINT RETURNED TO PROSECUTOR	Community Service	Restitution		JAIL TIME CREDIT
Domestic Violence: RESTRAINTS (SPECIFY)	☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM ☐ NO POSSESSION FIREARMS / WEAPONS				Other (specify)

(FTA OR BAIL) INFORMATION ☐ BAIL FORM ATTACHED

DATE	AMOUNT BAIL SET	REL. ON BAIL 1	R.O.R 2	COMMITTED DEFAULT 3	COMMITTED WITHOUT BAIL 4	PLACE COMMITTED

SURETY COMPANY - PERSON POSTING BAIL - RELEASED IN CUSTODY OF - ADDRESS

PROSECUTING ATTORNEY AND DEFENSE COUNSEL INFORMATION

PROSECUTING ATTORNEY	NONE 1	STATE 2	COUNTY 3	MUNICIPAL 4	OTHER 5	DEFENSE COUNSEL	NONE 1	RETAINED 2	PUBLIC DEFENDER 3	ASSIGNED 4	WAIVED 5	OTHER 6

MISCELLANEOUS INFORMATION

List Companion CDR numbers (including Co-defendants).

12

JUDGE DATE

NJ / CDR (3/94) ORIGINAL

POLICE CASE NO.	04-12040
COURT (NAME, ADDRESS, TELEPHONE NO.)	ASBURY PARK CITY ONE MUNICIPAL PLAZA ASBURY PARK NJ 07712 732-775-1715
COUNTY OF	MONMOUTH N.J.
COURT CODE	1303
COURT DOCKET NUMBER(S)	[illegible]

The State of New Jersey

vs.

KELLY M SIMMONS

E-2004-001814-1303
PAGE 1 OF 1
S04-1814

Defendant Name

431 VINE STREET

Address BRICK NJ 08723 SS No. [redacted]

City, State

10-19-1984 07-07-2004

Date of birth Date of arrest

000

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

COMPLAINT -

Complainant Name: DET. E. EAMIE of ASC JERSEYVILLE AVEN FREEHOLD NJ 07728

(IDENTIFY DEPARTMENT OR AGENCY REPRESENTED)

Residing at (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

07 07 2004 ASBURY PARK CITY MUNICIPAL CODE NO. MON

day of 20 in County of N.J.

did WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY POSSESS A CONTROLLED DANGEROUS SUBSTANCE, TO WIT UNDER 50 GRAMS OF MARIJUANA.

WITHIN THE JURISDICTION OF THIS COURT, POSSESS WITH INTENT TO USE DRUG PARAPHERNALIA, USED TO INGEST A CONTROLLED DANGEROUS SUBSTANCE, SPECIFICALLY A CRACK STEM.

In Violation Of: ☐ Domestic Violence - Confidential

Charge Number		Charge Number		Charge Number	
N.J.S. 2C:35-10A(4) 1	ACSX	N.J.S. 2C:36-2 2	ACSX	N.J.S.	ACSX
Charge Number As Amended		Charge Number As Amended		Charge Number As Amended	
N.J.S.	ACSX	N.J.S.	ACSX	N.J.S.	ACSX

Subscribed and sworn to before me this 7th day of JULY 20 04

Signed (SIGNATURE AND TITLE OF PERSON ADMINISTERING OATH) Signed DET (COMPLAINANT)

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT AT THE TIME AND PLACE NOTED BELOW TO ANSWER THE COMPLAINT. IF YOU FAIL TO APPEAR ON THE DATE AND AT THE TIME STATED, A WARRANT WILL BE ISSUED FOR YOUR ARREST.

DATE SUMMONS ISSUED 07/07/2004 DATE TO APPEAR 07/16/2004 TIME 11:00 AM

(SIGNATURE PERSON ISSUING SUMMONS) TITLE SGT.

FIRST APPEARANCE				COURT ACTION (Where Judgement or Conditional Discharge is Entered)								
				☐ ADVISED OF RIGHTS			METHOD OF SERVICE:					
CHARGES	WAIVER (NOT. / 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											

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 7-20	COMPLAINT REFERRED TO PROSECUTOR	Community Service	Restitution		JAIL TIME CREDIT
Domestic Violence: RESTRAINTS (SPECIFY)	☐ NO PHONE OR PERSONAL CONTACT WITH VICTIM ☐ NO POSSESSION FIREARMS / WEAPONS				Other (specify)

(FTA OR BAIL) INFORMATION ☐ BAIL FORM ATTACHED

DATE	AMOUNT BAIL SET	REL. ON BAIL 1	R-O-R 2	COMMITTED DEFAULT 3	COMMITTED WITHOUT BAIL 4	PLACE COMMITTED
SURETY COMPANY - PERSON POSTING BAIL - RELEASED IN CUSTODY OF - ADDRESS						

PROSECUTING ATTORNEY AND DEFENSE COUNSEL INFORMATION

PROSECUTING ATTORNEY	NONE 1	STATE 2	COUNTY 3	MUNICIPAL 4	OTHER 5	DEFENSE COUNSEL	NONE 1	RETAINED 2	PUBLIC DEFENDER 3	ASSIGNED 4	WAIVED 5	OTHER 6

MISCELLANEOUS INFORMATION

List Companion CDR numbers (including Co-defendants). 12

JUDGE DATE

ORIGINAL

NJ / CDR (3/94)