

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Friday, May 1, 2020 10:50 AM
To: Toscano, Taylor
Subject: Pro se motions
Attachments: HONE EMERGENT pro se BUR [REDACTED] 30-20 BUR. 2200-W-2020-116-1506.docx;
HONE pro se EMERGENT BUR OCP 1ST AMENDED 5-1-20.docx; HONE V. OCP LYNCH-
FORD pro se 2nd amended L-688-20 4-23-20.docx

--

JENNIFER L. GOTTSCHALK, ESQUIRE

1920 Fairfax Avenue

Cherry Hill, New Jersey 08003

NJ Bar ID 003391980

phone: [REDACTED]

fax-(856)295-8939

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Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **2020-116-1506**

V.

FAMILY ACTION
Notice of Motion for **EMERGENT HEARING**
TO REMOVE OCEAN PROSECUTOR'S OFFICE

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

PLEASE TAKE NOTICE that on May 4, 2020 at 9:00am in the forenoon or as soon thereafter as may be heard, the defendant, Richard Hone, will before the Burlington County criminal court for an Order Granting my motion for an immediate hearing to remove Ocean County Prosecutor. Defendant will rely upon the attached letter brief/certification.

PRELIMINARY STATEMENT

The United States Supreme Court made it crystal clear in **Erickson v. Pardus 551 U.S. 89, 94** that a "document filed pro-se must be liberally construed by the court" and a "pro-se complaint, however inartfully pleaded, must be held to a less stringent standard than formal pleadings drafted by attorneys".

Richard Hone is relying on the above case in filing this motion

A proposed form of Order is attached.

Richard Hone, **E-signature**

4-30-20

Richard Hone, Pro-Se

Date:

CC: Jennifer Goltschalke, Esq.

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. 2020-116-1506

V.

FAMILY ACTION
**Certification in support of Motion
TO REMOVE OCEAN PROSECUTOR'S OFFICE**

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

1. ATTACHED is the most recent Order of April 9, 2020 from Judge Gregory Acquaviva, Monmouth County Family Court, who Granted me all the relief (finally) I requested, and this dilatory tactic by the prosecutor is only is designed to violate my Civil Rights and keep me away from [REDACTED] nothing more.

I am the defendant in the above captioned matter and I am fully familiar with the facts of this case.

1. I have a 5-year-old little girl, [REDACTED], who I have been in a bitter custody case with her mother since she was born and at 61 years old, every day apart is irreparable harm that can never be cured.
2. Apparently, the court, and my attorney were not aware of the urgency of this matter, and the prosecutor is fully aware, and only used this as a ploy to continue to act on behalf of her [REDACTED] former prostitute mother, hereinafter [REDACTED]
3. **I AM ASKING THE COURT TO HEAR THE MOTION TO REMOVE THE OCEAN PROSECUTOR'S OFFICE ON MONDAY MAY 4, 2020**
4. On April 9th I was Granted visits, 4x per week Skype calls, and have to serve [REDACTED] interrogatories, and discovery requests by May 30th, which will be Blocked by this court if they allow the adjournment to take place on May 18th. We still have to get the no-contact in Bur. Removed.
5. On May 22, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and more custody.

6. On June 11, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and more custody.
7. On July 15, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and JOINT CUSTODY.
8. Unless the court schedules this hearing IMMEDIATELY (Monday May, 4, 2020), which could never in a million years prejudice the prosecutor's office, who are serial violators of Mr. Hone's Civil Rights, (and will be criminally charged as a group with Official Misconduct as soon as the Municipal Court re-opens for continuing enforcing an order that was never served properly, has no docket #, is for a case that has long since been adjudicated, and has no survivability clause, and is the subject of the 50 million dollar lawsuit which makes their presence a total conflict of interest), **ANY FURTHER DELAYS WILL BE AN EGREGIOUS VIOLATION OF MY AND [REDACTED] CIVIL RIGHTS.**

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone. **E-signature**

4-30-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **2020-116-1506**

V.

FAMILY ACTION
PROOF OF SERVICE

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

I, Richard Hone, hereby certify that an original and one copy of the Motion for Emergent Hearing to Remove Ocean Prosecutor's Office, certification and letter brief in support of motion, and proposed Order were emailed through the JEDS system and to **BurEmergent,mailbox@njcourts.gov**

Burlington Criminal Court
49 Rancocas Rd.
Mt. Holly, NJ 08680

4-30-20

Date served by email

Richard Hone, **E-signature**

4-30-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **2020-116-1506**

V.

FAMILY ACTION
ORDER

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

THIS MATTER having come before the court upon motion of Richard Hone and after having heard and after having considered the pleadings filed and Oral Argument TELEPHONICALLY and for good cause appearing to exist:

1. The hearing to Remove the Ocean County Prosecutor's Office from this case be heard immediately IS GRANTED.
2. That the court sanction the OCP for purposely and maliciously delaying justice by willfully creating a delay for no justifiable reason IS GRANTED
3. Any other relief the court deems just and fair

IT IS HEREBY ORDERED, on this _____ day of _____ **2020** that defendant's motion IS HEREBY GRANTED.

J.S.C.

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **W-2020-116-1506**

V.

FAMILY ACTION
**1ST AMENDED Certification in support of Motion
TO REMOVE OCEAN PROSECUTOR'S OFFICE**

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

1. ATTACHED is the 1st and 2nd Amended Complaint against **THE ENTIRE OCEAN COUNTY PROSECUTORS OFFICE.**
2. Therefore, anyone reading the brief would have Full Knowledge that "any, all, and every" prosecutor is a DEFENDANT in the lawsuit. EVERY prosecutor that APPEARS in front of the Judge IS a DEFENDANT, and so how in the world would anyone who actually read this think any adjournment would be something that is NOT erroneous and not be construed as a pure and egregious violation of my and [REDACTED] Civil Rights? They could never come to that decision because this decision is a pure violation of our Civil Rights and the only way to Cure that is to reverse that, and hold the hearing on Monday, May 4, 2020, and of course remove these corrupt and clearly prejudicial things from this case, which by the way has ZERO MERIT. I remind the court this is the exact same prosecutors office that "tried me in absentia without me waiving my right in Family Court and without counsel present or appointed in 2016, and continues to enforce and order thar does NOT exist, there is NO docket # for, it has never been served properly, the case has been adjudicated years ago, and there is NO survivability clause in the "order".

This is a joke and an affront to the Court, the Judge and the People of the State of New Jersey.

3. Further, the prosecutor (Tascano) KNOWS this, yet still had the temerity to file for an adjournment with full knowledge she now commits the crime of Official Misconduct, and the court sanctions that behavior, and will continue to unless this is overruled and common sense (the *Thomas Paine kind) prevails.
4. Any adjournment would continue to be a violation of our Civil Rights and result in immediate litigation.

5. ANY and EVERY prosecutor who "steps into the shoes" of the role of prosecutor for Ocean County IS a DEFENDANT, and EVERY prosecutor could ask for an adjournment, (which would be in total and complete contravention to the Due Process Clause of the 14th Amendment of the U.S. Constitution as well as an Equal Protection violation), is STILL a defendant, so NO prosecutor can be given an adjournment because under this "theory" espoused in the original decision they are ALL entitled to adjournments, which simply is not a legal reason to prevail, and would be a continued violation of the Due Process Clause of our cherished Constitution.
6. I would be citing *Pulliam v. Allen* 466 U.S. 522 (1984) and *Village of Willowbrook v. Olech* 528 U.S. 562 (2000) as proof I am on solid legal ground here with the Judge's original and completely flawed decision.

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone, **E-signature**

5-1-20

Richard Hone, Pro-Se

Date:

* **Thomas Paine, Common Sense** "IN the following pages I offer nothing more than simple facts, plain arguments, and common sense".

***Thomas Paine Rights of Man** (1791), a book by Thomas Paine, including 31 articles, posits that popular political revolution is permissible when a government does not safeguard the natural rights of its people.

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

RICHARD HONE
Plaintiff, Pro-Se

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
LAW DIVISION
Docket No. L-688-20

V.

CIVIL ACTION
2nd Amended Complaint

MARLENE LYNCH-FORD AJSC, MS. TOSCANO,
BRAD BILLHIMER, JOHN and JANE DOE(S) 1-100
ALL OCEAN COUNTY PROSECUTORS
Defendant

Plaintiff, Richard Hone, residing at above address, c/o 24 Johnston Ave., Brick NJ 08724, County of Ocean, State of New Jersey, complaining of defendants, states as follows:

1. Despite Toscano being served with the lawsuit and including it in her own brief (regular mail and fax, which is considered mail under *Mangano v. AGM Devel. App. A-2415-09T3*, as well as *Conley v. Guerrero (A-65-15) (076928)*) she continues as of 4-22-20 to violate plaintiff's Civil Rights by continuing to enforce an order that does not exist, has never been served properly (it even states so in the Order itself), and has no docket number. This is done with actual malice and willful misconduct.
2. This act, and the other underlying violations of plaintiff's Civil Rights obliterate the Immunity this government employee mistakenly believes she has. This is a genuinely naïve (the judgment part of the definition) "attorney" who used 2nd circuit case law in a brief thinking NY and Vermont were in the 3rd circuit, or it was on purpose to violate my Civil Rights again, which automatically gives way to the willful misconduct and actual malice elements of the Immunity Exception NJSA 59:3-14, as well as the current 3rd circuit case *Fogle v. Sokol, No. 19-1066 (3d Cir. 2020)* which obliterates a prosecutors immunity and states in part on Pg. 17, 11 (concluding "**qualified immunity smacks of unqualified impunity**").
3. The entire Ocean Prosecutors office is aware of this lawsuit, yet as a whole they continue to act in a conspiracy against plaintiff for his correct and continued outspokenness they are corrupt, a view shared wholeheartedly by the FBI as to Ocean County .

The defendants reside/work at 119 and 120 Hooper Ave. Toms River, NJ 08754, In the county of Ocean, State of New Jersey.

1. Plaintiff is entitled to relief from defendant under the above facts.
3. The harm that occurred as a result of defendant's acts include:

1. Plaintiff has suffered severe emotional harm from the actions of defendant that plaintiff may never recover from.
2. Plaintiff has again had his civil rights violated by more Ocean County employees and has suffered immense emotional damage that can never be made whole by money alone. I'm seeking the removal of this judge and the prosecutors so they can't hurt anyone else by their corrupt actions and acts.
3. The corrupt acts continue to allow the court to keep my daughter [REDACTED] away from me, as they know for a fact my "contempt" case has zero merit.
4. Plaintiff fears for his safety and will be forced to move.
5. Plaintiff seeks an \$50,000,000.00 million dollars in damages, both compensatory and punitive.

Wherefore, plaintiff requests judgment against defendant for \$50,000,000.00 in damages, together with attorney's fees, cost of suit, and any other relief as the court may deem proper.

Richard Hone **e-signature**

4-23-20

Richard Hone, Plaintiff, Pro-Se

Date:

CERTIFICATION OF NO OTHER ACTIONS

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending proceeding to the best of my knowledge and belief except for the Family Court matters, which only effect the possessions inside storage, not the storage facility on which the lien is placed. Also, to the best of my knowledge or belief. Further, other than the parties set forth in this complaint, I know of no other parties at this point be made a party to this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Richard Hone **e-signature**

4-23-20

Richard Hone, Pro-Se

Date:

JURY DEMAND:

The plaintiff demands trial by jury on all triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

Richard Hone **e-signature**

4-23-20

Richard Hone, Pro-Se

Date:

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Monday, May 4, 2020 3:30 PM
To: Toscano, Taylor
Subject: State v. Richard Hone, PG 20-607
Attachments: HONE pro se REMOVAL OCP 2nd AMENDED 5-3-20.pdf

Attached is a pro se certification which Mr. Hone has asked me to forward to you.
Regards,
Jennifer Gottschalk

--
JENNIFER L. GOTTSCHALK, ESQUIRE
1920 Fairfax Avenue
Cherry Hill, New Jersey 08003
NJ Bar ID 003391980
phone-
fax-(856)295-8939

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Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **W-2020-116-1506**

V.

FAMILY ACTION
**2nd AMENDED Certification in support of Motion
TO REMOVE OCEAN PROSECUTOR'S OFFICE**

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

To further PROVE that the Ocean Pros. MUST be removed for if nothing else for complete prejudice, impropriety in this matter, Official Misconduct NJ 2C 30:2, and by bringing criminal "charges" with full knowledge the "victim" was (Exhibit 1 Attached in email);

1. The "victim" was NOT in Ocean County at the time of the alleged "crime", but in the hospital in Holmdel, which is Monmouth County, and I was not in Ocean County either, nor can they prove I was.
2. The other charge, the email about the book I intend to write; "Buying Baja, the Quest for [REDACTED], who everyone knows is my daughter, and the order I am "contempt" of, actually allows discussion about [REDACTED]
3. Judge Dalton in Monmouth County has already ruled in MY favor in the TRO to final order hearing proves that THIS "crime" never rose to harassment, that Ms. [REDACTED] had ZERO credibility, that if she went in front of Judge Dalton she never would have got a TRO, and DISMISSED that very allegation in Monmouth County over a month ago.
4. The Prosecutor's (especially Tascono) office, has FULL knowledge of this, yet they continue this charade, have not dismissed these charges, which is Official Misconduct at best and extreme prejudice at the least, and will do anything to "get me" because of my outspoken and correct criticism of how corrupt they are, and their continues presence confirms it all.

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone, E-signature

5-3-20

Richard Hone, Pro-Se

Date:

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Monday, May 11, 2020 4:21 PM
To: Toscano, Taylor
Subject: Fwd: JG- for service to OCP-Pro-Se Hone Emergent (ORIGINAL CT. DATE TUESDAY 5-12) w/Exhibits w-2020-116-1506
Attachments: [REDACTED] EMERGENT COOK 5-10-20.docx; [REDACTED] v Hone - FD-13-186-20 - April 9 2020 Order (1).pdf; NT FAMILY OK [REDACTED] VISITS 5-4-20 001.jpg; NT FAMILY OK [REDACTED] VISITS 5-4-20 002.jpg

from Richard Hone

On Mon, May 11, 2020 at 4:19 PM RICHARD HONE <rhone904@aol.com> wrote:
Jennifer,

Please serve/forward to prosecutor.

--
JENNIFER L. GOTTSCHALK, ESQUIRE
1920 Fairfax Avenue
Cherry Hill, New Jersey 08003
NJ Bar ID 003391980
phone-[REDACTED]
fax-(856)295-8939

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Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. 2020-116-1506

V.

FAMILY ACTION
Notice of Motion for **EMERGENT HEARING**
TO REMOVE NO-CONTACT by JUDGE TARANTINO

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

PLEASE TAKE NOTICE that on May 11, 2020 at 9:00am in the forenoon or as soon thereafter (**and no later than May 14, 2020**) as may be heard, the defendant, Richard Hone, will before the Burlington County criminal court for an Order Granting my motion for an immediate hearing to Remove the No-Contact provision of the misguided and flawed original order, which was clearly done without full knowledge of any of the facts of this disturbing charade by the prosecutor and the victim, who has since changed her mind about this very issue (Attached 5-4-20 Family Court brief).

PRELIMINARY STATEMENT

The United States Supreme Court made it crystal clear in **Erickson v. Pardus 551 U.S. 89, 94** that a "document filed pro-se must be liberally construed by the court" and a "pro-se complaint, however inartfully pleaded, must be held to a less stringent standard than formal pleadings drafted by attorneys".

This is going to be heard and the no-contact removed **BEFORE** the Family Court hearing on May 22nd because "judge" Cook had a complete and total functional ignorance of the facts, violated my Civil Rights (the subject of the 50m Civil Rights lawsuit **HONE v. COOK**) and retaliated against me and my daughter for my prior Emergent filing in the most pathetic and transparent manner, tortuously interfered with a Family Court Order, violated NJSA 9:2-4, ruled outside the Law, and created a Manifest Injustice for [REDACTED] and me that needs to be immediately changed as the irreparable harm he maliciously and purposely created screams for Justice here.

Richard Hone is relying on the above case in filing this motion and the facts here.

A proposed form of Order is attached.

Richard Hone, E-signature

5-10-20

Richard Hone, Pro-Se

Date:

CC: Jennifer Goltschalke, Esq. (Mr. Hone IS arguing this/his motion, this is purely a cc)

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. 2020-116-1506

V.

FAMILY ACTION
**Certification in support of Motion
TO REMOVE NO-CONTACT by JUDGE TARANTINO**

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

1. Richard Hone had a hearing to remove the no-contact confirmed for this week of May 11-15, and Cook went over the head of judge Tarantino, cancelled the hearing, and refuses to set a court date until after the Monmouth Family May 22nd hearing, which is a pure, malicious, purposeful (and a criminal act) and retaliatory act that is so transparent it shocks the conscience. We are going to Correct that error Today and Remove the no-contact provision that was more of a knee-jerk reaction than a viable remedy for the already in place ORDER from Monmouth Family Court that give [REDACTED] her Daddy finally, and gives us a clear path to Joint Custody in August as long as this court STOPS violating our Civil Rights.
2. ATTACHED is the most recent Order of April 9, 2020 from Judge Gregory Acquaviva, Monmouth County Family Court, who Granted me all the relief (finally) I requested. This is a Comprehensive, well crafted, extremely well thought out Order by one of the Most Astute Judges I ever have had in any court in NJ, and there is ZERO chance he acted outside the law, made an egregious legal error, or did anything that would overturn the Order. Also, everyone knows that Reconsideration is a very Tall Mountain to climb to be successful and only pro-se litigants like me can even be a little successful, like I was in getting "judge "Weiss ridiculous order to prevent me from posting on Facebook, which Judge Acquaviva corrected because it was a violation of my 1st Amendment to Freedom of Speech (and I cited the correct case laws), but other than that there is ZERO chance for [REDACTED] to prevail, and Cook knows it, the prosecutor knows it, and yet they still carry on with the charade.
3. ATTACHED are the relevant pages of the 5-4-20 Family Court filing by [REDACTED] the mother of [REDACTED] in which she clearly states that she wants me to have visits with [REDACTED] and therefore the no-contact provision MUST be removed immediately.

4. On April 9, 2020 I was Granted visits, 4x per week Skype calls, and have to serve [REDACTED] interrogatories, and discovery requests by May 30th, which will be Blocked by this court (among other key issues in the FAMILY COURT ORDER) if they allow the malicious and purposeful delay created in retaliation (after we had a court date for this week confirmed) for the last Emergent filing to take place . We would then still have to get the no-contact in Bur. removed AFTER the May 22, 2020 hearing in Monmouth Family Court, which is ridiculous, not grounded in the Law, a violation of NJSA 9:2-4, and a pure violation of our Civil Rights to Due Process because NOTHING will change the outcome of the April 9, 2020 Order on reconsideration because Everyone Knows that reconsideration is an almost impossible mountain to climb, and [REDACTED] is a pro-se litigant whose filings are both insane, sad, and comical at the same time. THERE IS ZERO CHANCE the May 22, 2020 hearing will do anything but GRANT RICHARD HONE MORE VISITS, AND UNSUPERVISED visits at that.
5. On May 22, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and more custody. THIS IS THE DATE "judge" Cook has tortuously interfered with for all the reasons stated in the Preliminary Statement.
6. This would also allow [REDACTED] to just file reconsideration every single time we are in court and the court will assist her and the prosecutor to Purposely and Maliciously Delay Justice for [REDACTED] and me. However, in fairness to the prosecutor here, she did say she would follow the Family Order, so go do that, NOW.
7. On June 11, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and more custody, and any further delay in Burlington will prevent me from seeing my daughter, even though I have visits already.
8. On July 15, 2020 I have another hearing in Family Court in Monmouth County for unsupervised visits, and JOINT CUSTODY.
9. In August the custody case will be fully and finally resolved in My and [REDACTED] favor and any delays will upset this delicate balance and ruin [REDACTED] even more as she starts Kindergarten in the Fall and I WILL be there for her First Day of Kindergarten. I have a child seeing a psychiatrist since she was 3 ½ years old and **THIS court is the responsible party for [REDACTED] continued mental health issues**, which are obviously caused by NOT having her Father in her Life again, which THIS court continues to interfere with and delay for NO justifiable reason or under any Law.
10. Unless the court schedules this hearing IMMEDIATELY (**Thursday, May 11-14, 2020**), which could never in a million years prejudice the prosecutor's office, who are serial violators of Mr. Hone's Civil Rights, (and will be criminally charged as a group with Official Misconduct as soon as the Municipal Court re-opens for continuing enforcing an order that was never served properly, has no docket #, is for a case that has long since been adjudicated, and has no survivability clause, and is the subject of the 50 million dollar lawsuit), and **ANY FURTHER DELAYS WILL BE AN EGREGIOUS VIOLATION OF MY AND [REDACTED] CIVIL RIGHTS.**

11. Just so there is NO misunderstanding; NO ONE, no judge, no prosecutor, no one, not even God, is going to interfere with my child's Rights or the LAW, continue to violate N.J.S.A. 9:2-4 which states in the most relevant part that; The Legislature finds and declares that it is in the public policy of this State to assure minor children of frequent and continuing contact with both parents after the parents have separated or dissolved their marriage and that it is in the public interest to encourage parents to share the rights and responsibilities of child rearing in order to effect this policy. and continue to Prevent me from seeing my daughter [REDACTED] or continue to violate my or [REDACTED] s Civil Rights ever again.

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone, **E-signature**

5-10-20

Richard Hone, Pro-Se

Date:

***My Uncle Harold, R.I.P., a legendary Federal Court Judge in the Southern District of New York (NYC) for 3 decades would say along with Alan Dershowitz, the famed Harvard and Yale Law Professor Emeritus, who I know from when I worked for Mike Tyson and Michael Jackson, and who has been called 'the nation's most peripatetic civil liberties lawyer' and one of its 'most distinguished defenders of individual rights,' and 'the best-known criminal lawyer in the world', "great, another idiot in a robe who reads with his mouth", which they both told me several times and is on the Record in another one of my filings in Monmouth relating to "former" (for violating my Civil Rights 24 times at sentencing alone) judge Justus.

***Judges are supposed to have Integrity and be Independent, not be another prosecutor, which has happened here 3 times already in this case.

***The next judge that mutes my microphone and violates my 1st Amendment Right is getting sued for that violation too.

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. w-2020-116-1506

V.

FAMILY ACTION
PROOF OF SERVICE

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

I, Richard Hone, hereby certify that an original and one copy of the Motion for Emergent Hearing to Remove Ocean Prosecutor's Office, certification and letter brief in support of motion, and proposed Order were emailed to **BurEmergent.mailbox@njcourts.gov**

Burlington Criminal Court
49 Rancocas Rd.
Mt. Holly, NJ 08680

5-10-20

Date served by email

Richard Hone **E-signature**

5-10-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY
CRIMINAL DIVISION
Docket No. **w- 2020-116-1506**

V.

FAMILY ACTION
ORDER

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

THIS MATTER having come before the court upon motion of Richard Hone and after having heard and after having considered the pleadings filed and Oral Argument TELEPHONICALLY and for good cause appearing to exist:

1. The hearing to Remove the no-contact provision of the February 21, 2020 order IS GRANTED and the no-contact provision removed IS GRANTED
2. That the court sanction judge Cook for purposely and maliciously delaying justice by willfully, purposely and maliciously, and in retaliation for my last Emergent filing, creating a delay for no justifiable reason IS GRANTED
3. Any other relief the court deems just and fair (like an apology to my daughter [REDACTED]) IS GRANTED

IT IS HEREBY ORDERED, on this _____ day of _____ **2020** that defendant's motion IS HEREBY GRANTED.

J.S.C.

PREPARED BY THE COURT
RICHARD HONE,

Plaintiff

vs.

[REDACTED]

Defendant

SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION/FAMILY PART
MONMOUTH COUNTY
CIVIL ACTION ORDER

DOCKET NO. MON-C-8-20 (formerly
MID-C-171-17)

[REDACTED]

Plaintiff

vs.

RICHARD HONE,

Defendant

DOCKET NO. FD-13-186-20,

RICHARD HONE,

Plaintiff

vs.

[REDACTED]

Defendant

DOCKET NO. MON-C-152-19,

THESE MATTERS having been opened by the Court, the Court having reviewed the papers, both parties appearing telephonically, having heard oral argument, for good cause shown, and for the reasons stated on the record,

IT IS on this 9th day of April, 2020, **ORDERED** that:

1. On March 16, 2020, Mr. Hone voluntarily dismissed, with prejudice, all claims under MON-C-152-19. On the record on April 9, 2020, Mr. Hone similarly dismissed, with

MON-C-8-20
FD-13-186-20
MON-C-152-19
April 9, 2020

FILED AND SERVED ELECTRONICALLY – 4.9.20

prejudice, all related claims regarding property in a storage locker under MON-C-8-20.

2. Mr. Hone's motion for reconsideration of the March 13, 2020 Orders granting Ms. [REDACTED] motion to vacate default, granting in part Ms. [REDACTED] motion for summary judgment, and denying Mr. Hone's motion for summary judgment is **DENIED**.
3. Mr. Hone's December 23, 2019 motion for reconsideration of the December 19, 2019 Order on the FD docket is **GRANTED, in part; DENIED, in part**. The December 19, 2019 Order shall be modified as follows:
 - a. The limitations on social media are circumscribed. Mr. Hone is only prohibited from disparaging or harassing Ms. [REDACTED] in any form to any third party through any medium;
 - b. Mr. Hone may utilize the Ocean County NJ Workforce program, rather than its Monmouth County equivalent;
 - a. Other than as modified herein, supra, the December 19, 2019 Order remains in full force and effect.
4. Mr. Hone's January 7, 2020 motion for reconsideration is **GRANTED, in part; DENIED, in part**.
 - a. With respect to parenting time modification, such shall be addressed infra.
 - b. With respect to communications, due to the parties' financial limitations, the parties shall utilize AppClose (a free, web-based application) for amicable communications, limited to the minor child, instead of Our Family Wizard (a

web-based application that requires a fee). Neither party shall harass the other during such communications, which shall be limited to the child.

c. All other reliefs requested denied without merit.

5. Mr. Hone's January 23, 2020 request to reconsider the December 19, 2019 Order is **DENIED**, as untimely pursuant to Rule 4:49-2.
6. Mr. Hone's request to modify his child support obligation is **GRANTED**, in part. Mr. Hone's child support obligation is modified, retroactive to October 4, 2017, to \$95 per week. Probation shall adjust its records accordingly.
7. Mr. Hone's April 7, 2020 motion to exclude evidence related to child support untimely submitted by Ms. [REDACTED] is **DENIED**.
8. Mr. Hone's February 5, 2020 request to enforce that all communications be through Our Family Wizard is **GRANTED**, in part. All communications shall be through AppClose, unless otherwise ordered herein.
9. Mr. Hone's February 5, 2020 request for the incarceration of Ms. [REDACTED] is **DENIED**.
10. Mr. Hone's February 5, 2020 request to charge Ms. [REDACTED] with harassment and contempt is **DENIED**.
11. Mr. Hone's request to recuse Judge Bernstein is **MOOT**.
12. Mr. Hone's request to amend FV-13-1267-17 to show completion of Batterer's Intervention is **MOOT**, as that restraining order has been dismissed.
13. Mr. Hone's request for a change of venue is **MOOT**.
14. Mr. Hone's request for updates on educational, health, and social growth of [REDACTED] is **GRANTED**, in part. Parties shall communicate no less than once per week.

through AppClose in amicable, non-harassing manner regarding the minor child and her development.

15. Mr. Hone's request to vacate arrears is **GRANTED, in part**. Mr. Hone's child support arrears shall be reduced as per Paragraph 6, supra.
16. Mr. Hone's request to stay enforcement of his child support obligation (i.e., stay bench warrants) and Ms. [REDACTED] request to enforce child support are **GRANTED, in part**. Enforcement of Mr. Hone's child support obligation is temporary suspended through August 1, 2020. Probation shall adjust its records.
17. All custody and parenting time related issues, including but not limited to, sufficiency of Mr. Hone's previously submitted reports, his requests for compensatory parenting time, his request for parenting time sanctions, his request for damages due to missed parenting time, his request to modify legal and residential/parenting time custody, and his request for access to the minor child's medical records, shall be addressed as follows:
 - a. The parenting time enumerated in the December 19, 2020 Order is modified, pendente lite, as follows:
 - i. Although Mr. Hone's parenting time shall remain supervised, such need not be done by IEP Youth Services nor in a reunification context. Rather the parties may utilize the services of a more cost-effective provider (e.g., YMCA, Catholic Charities, Peaceful Healing, etc.) or a mutually agreed upon third-party. If done outside the therapeutic

reunification context, Mr. Hone's parenting time shall be two hours per week;

- ii. The cost share of any supervised parenting time shall be shared by the parties, 75/25, with Mr. Hone paying 75 percent.
 - iii. Mr. Hone's supervised Skype or teleconference contact is increased to every Sunday, Tuesday, Thursday, and Saturday at 10 a.m.
 - iv. Parties shall appear on June 11, 2020 at 11 a.m. for a review of Mr. Hone's parenting time.
- b. All other related reliefs shall progress towards a plenary hearing. Should either party seek to retain an expert (individually or joint) or obtain a Custody Neutral Assessment, any expert or assessor shall be retained no later than May 1, 2020. The parties shall cooperate with any retained expert. No later than May 30, 2020, the parties shall propound discovery on each other, limited to interrogatories and document requests. All requests shall be responded to no later than June 30, 2020. For purposes of discovery, each party shall create a dedicated email address. No later than April 16, 2020, each party shall, through AppClose, communicate that email address to the other party. Court shall conduct a case management conference on July 15, 2020 at 11 a.m., at which point a plenary hearing date(s) shall be assigned, and pre-trial requirements shall be set.

18. Mr. Hone's request to vacate the Custodial Settlement Agreement and damages incurred therein due to duress and/or intoxication shall too be addressed at the plenary

MON-C-8-20
FD-13-186-20
MON-C-152-19
April 9, 2020

FILED AND SERVED ELECTRONICALLY – 4.9.20

hearing, and discovery with respect to those issues shall adhere to the same time limitations.

19. Mr. Hone's January 14, 2020 request for the Court to pay for his evaluations, parenting time, and Our Family Wizard is **DENIED**.

20. Mr. Hone's request to modify the Custodial Settlement Agreement such that he is not responsible for health insurance is **GRANTED, in part**. The minor is currently on NJFamilyCare. Should health insurance become available to either party through their employment, at a reasonable cost, such shall be obtained, with the parties sharing in such, consistent with their percentages of income pursuant to the Child Support Guidelines.

21. Ms. [REDACTED] request to enforce the Custodial Settlement Agreement and Mr. Hone's November 16, 2017 request to amend the Custodial Settlement Agreement are both **GRANTED, in part**. To the extent not modified via subsequent Court order, the CSA remains in full force and effect.

22. Mr. Hone's challenge to his original imputation of income under the prior order is **DENIED**.

23. Mr. Hone's request to prohibit Ms. [REDACTED] from engaging in any illegal conduct is **GRANTED, in part**. Neither party shall engage in any illegal activity in the presence of the child.

24. Mr. Hone's February 5, 2020 request to "order counseling" is **DENIED**.

MON-C-8-20
FD-13-186-20
MON-C-152-19
April 9, 2020

FILED AND SERVED ELECTRONICALLY – 4.9.20

25. Mr. Hone's request for child support credit for 90 days to 1 year is **DENIED.**

26. Mr. Hone's request for the Court to order a risk assessment and for the Court to pay for such is **MOOT.** Requirement was part of since dismissed final restraining order on docket FV-13-1267-17.

/s/ Gregory L. Acquaviva
HON. GREGORY L. ACQUAVIVA, J.S.C.

For Reasons Stated on the Record

provide therapeutic reevaluation to my older daughter [REDACTED] effort to meet my child's needs for her to have her Father in her life. initially under the care of a therapist who will be able to provide ongoing support and coaching to [REDACTED] through this delicate transition.

I wholeheartedly believe this is the right answer to the first question.

Mr. Hone's only objection to this prior resolution was that it was cost-prohibitive. In an effort to hold out the olive branch, I am agreeing to pay for these visits, as he has previously requested, in order to facilitate resolution on my end in a manner which is safe and appropriate for all.

As you are aware, [REDACTED] has never had a relationship with her father and does not know him. She is simply not familiar with the dance of how to interact with him. The 2nd time she had an in-person visit with him was on Dec 8th and although it started as a fun visit in the library, it ended with Mr. Hone yelling at her and at me using expletive language, over whether it was ok for [REDACTED] to refer to my older daughter's father as "Dad" also.

Reunification.

The initial fee of \$1000.00 covers a 90 minute consultation with each parent, collateral work to be done between any providers, followed by a Team Meeting/Planning session, and an outlined plan for Reunification.

The visits are usually an hour depending on what [REDACTED]'s tolerance is at her age and the fee is \$200.00 per hour.

All Mr. Hone needs to do to be the other party wanting to facilitate this resolution is to call Brighter Living. Jessie Kaufman at [REDACTED] to set up his portion of the initial consultation and to commence services. I believe that this can all be done online currently due to Covid-19 restrictions and by the time the restrictions are lifted we should be in good shape to start therapeutic visitation.

Thank you for your time and reconsideration in these matters

[REDACTED]

5/5/20

[REDACTED]

Pro-Se

Date

Khajezadeh, Dina

From: Audrey Barto <audrey.barto@njcourts.gov>
Sent: Thursday, May 14, 2020 1:09 PM
To: Jennifer Gottschalk; Toscano, Taylor
Cc: Shannon Denise; Michelle Tierney; Michelle Consuegra
Subject: RICHARD HONE BURLINGTON PG# 20-607-001 TRANSFER FROM BURLINGTON
BACK TO OCEAN COUNTY
Attachments: Order of Transfer - Ocean Criminal.pdf

Good Afternoon,

Please find attached order transferring the above case back to Ocean County for all proceedings and disposition. It has been uploaded into Burlington's case jacket.

Please let me know if you need any additional information. I will transfer the case in Promis Gavel so it can be re-activated in Ocean County.

Thank you,

Audrey M. Barto, Administrative Specialist I (confidential)

Administrative Assistant to Shannon DeNise, CDM

Criminal Division

Burlington County Superior Court

49 Rancocas Road – First Floor

Mt. Holly, NJ 08060

P 609-288-9500 x38210

F 609-826-7071

audrey.barto@njcourts.gov

PREPARED BY THE COURT

STATE OF NEW JERSEY,

vs.

RICHARD HONE,

SUPERIOR COURT OF NEW JERSEY

BURLINGTON COUNTY

CRIMINAL DIVISION

System No. 20-000607

This matter being opened by the Court on its own motion to transfer this matter to Ocean County for disposition, and for other good cause shown;

IT IS ON THIS 14th DAY OF MAY, 2020, HEREBY ORDERED

The above-entitled matter is scheduled to be transferred to the Superior Court of New Jersey, Ocean County, Criminal Division for all proceedings and disposition.

Any objection to said transfer must be in writing within 10 days of the date of this Order, and if deemed appropriate, a hearing will be conducted by either the Assignment Judge, or her designee.

1st Jeanne T. Covert
Jeanne T. Covert, A.J.S.C.

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Friday, May 15, 2020 11:44 AM
To: Laura Roche; Toscano, Taylor
Subject: State v. Richard Hone

I have just discussed this matter with the client. He wishes to have Judge Covert hear his emergent application at 2 p.m. on Monday on a pro se basis.

Thank you,

Jennifer Gottschalk

--

JENNIFER L. GOTTSCHALK, ESQUIRE

1920 Fairfax Avenue

Cherry Hill, New Jersey 08003

NJ Bar ID 003391980

phone-[REDACTED]

fax-(856)295-8939

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Khajezadeh, Dina

From: Laura Roche <Laura.Roche@njcourts.gov>
Sent: Friday, May 15, 2020 9:07 AM
To: Toscano, Taylor; jgottschalkesq@gmail.com
Subject: RE: [External]RE: State v. Richard Hone

Thank you both. We will be doing this via Conference Now and the call-in information for you is below for 11:00 a.m. Thank you.

1. Dial [REDACTED]
2. When the prompt asks for Meeting Number enter [REDACTED]
3. When the Prompt asks for Attendee Access Code enter [REDACTED]

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, May 15, 2020 8:42 AM
To: Laura Roche <Laura.Roche@njcourts.gov>; jgottschalkesq@gmail.com
Subject: [External]RE: State v. Richard Hone

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning,

I am available at 11am. My number is [REDACTED]

Thank you,
Taylor Toscano
Ocean County Prosecutors Office

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Laura Roche <Laura.Roche@njcourts.gov>
Date: 5/15/20 8:11 AM (GMT-05:00)
To: jgottschalkesq@gmail.com, "Toscano, Taylor" <TToscano@co.ocean.nj.us>
Subject: State v. Richard Hone

Good Morning,

Judge Covert would like to schedule a telephone conference with the two of you this morning. Please let me know your availability for 11:00 a.m., as well as a telephone number to contact you at. Thank you.

Laura Roche, Secretary to the Honorable

Jeanne T. Covert, A.J.S.C.
Superior Court of New Jersey
49 Rancocas Road - 7th Floor
Mt. Holly, New Jersey 08060
609-288-9500 Ext – 38800
609-288-9484 - Fax
laura.roche@nycourts.gov

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Thursday, May 14, 2020 3:20 PM
To: Audrey Barto; Toscano, Taylor
Subject: Re: RICHARD HONE W-2020-116-1506 - Motion to Modify Release Conditions
Attachments: cert support OBJECTION TO transfer TO OCEAN COUNTY JLG.pdf; OBJECTION TO REMOVAL TO OCEAN COUNTY.pdf

Attached are the objection to the transfer and a certification. I have uploaded them onto e-courts as well. As you can see, the objection is withdrawn if the original emergent application filed by the defendant pro se is not heard by tomorrow, close of business.

Thank you.

Jennifer Gottschalk

On Thu, May 14, 2020 at 2:18 PM Audrey Barto <audrey.barto@njcourts.gov> wrote:

Good Afternoon,

Your motion to Modify Release Conditions will now be heard in Ocean County since the case has been transferred. I am withdrawing the Burlington County motion. I have sent all motion documents to Ocean for processing in eCourts. Please let me know if you have any questions.

Thank you,

Audrey M. Barto, Administrative Specialist I (confidential)

Administrative Assistant to Shannon DeNise, CDM

Criminal Division

Burlington County Superior Court

49 Rancocas Road – First Floor

Mt. Holly, NJ 08060

P 609-288-9500 x38210

F 609-826-7071

audrey.barto@njcourts.gov

--

JENNIFER L. GOTTSCHALK, ESQUIRE

1920 Fairfax Avenue

Cherry Hill, New Jersey 08003

NJ Bar ID 003391980

phone-[REDACTED]

fax-(856)295-8939

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JENNIFER L. GOTTSCHALK, ESQ.
NJ Bar ID Number 003391980
1920 Fairfax Avenue
Cherry Hill, New Jersey 08003

[REDACTED]
(856)295-8939 (fax)
jgottschalkesq@gmail.com
Attorney for defendant Richard Hone

STATE OF NEW JERSEY,
Plaintiff,

v.

RICHARD HONE,
Defendant.

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY-LAW DIVISION
DOCKET NO. W-2020-116-1506

Criminal Action

CERTIFICATION IN SUPPORT OF
OBJECTION TO TRANSFER ACTION
TO SUPERIOR COURT, OCEAN
COUNTY

JENNIFER L. GOTTSCHALK, of full age, does certify and say:

1. I am an attorney-at-law of the State of New Jersey. I am assigned to represent the defendant in the above-captioned matter as pool counsel for the Public Defender's Office. I am familiar with the facts of the case.
2. The underlying case arose from alleged conduct occurring in both Ocean County and Monmouth County.
3. During my review and preparation of this case, I have learned that my client has been foreclosed from having direct oral communication with the Ocean County Superior Court, and that he may only communicate with them in writing based upon a 2016 order entered by the Hon. Marlene Lynch Ford, A.J.S.C.
4. I assumed that that order prompted the transfer of the current criminal prosecution from Ocean County to Burlington County. I was, therefore, surprised by the entry of the order today transferring the case back to Ocean County.
5. After I argued two motions on my client's behalf on Friday, May 8, 2020, my client sought emergent review of Judge Cook's order denying both motions, namely, to disqualify the Ocean

County Prosecutor's Office and to transfer the case from the Law Division to the Chancery Division, Family Part, and filed a pro se emergent application in this Court requesting that his motion for modification be heard immediately. He filed that motion on Monday, May 11, 2020. To date, that motion has not been heard.

6. The "emergency" is that he has been trying to gain parenting time with his daughter, [REDACTED], which time was removed from him as a condition of his pre-trial release. There is a "no contact" provision in the pre-trial release order preventing him from having any contact with both the victim, [REDACTED], the child's mother, and the child.

7. Hon. Gregory Acquaviva, J.S.C., a Superior Court judge in Monmouth County, entered an order on April 9, 2020, that gave my client parenting time and other electronic communication opportunities with the child.

8. It seems that the Monmouth County Vicinage would be a more appropriate venue for the criminal case, in part because of the pendency of the FD case pending there. There is also the issue of the means and manner by which my client can conduct his defense in a criminal court in Ocean County where he is prohibited from having verbal contact with any court staff, presumably including judges before whom he would be appearing. The language of the order would seem to preclude him from addressing the court in pleadings or testimony.

9. With the goal of having all courts agree that he should have parenting time with his child, he objects to the transfer of his criminal case to Ocean County, which will delay once again the determination by a criminal division judge that he should be able to have parenting time with [REDACTED]

10. My client's objection to the transfer order remains in effect until close-of-business on Friday, May 15, 2020, by which time he wishes to have his May 11, 2020, emergent motion about

the modification of his pre-trial release heard by a judge in Burlington County

11. If my client's emergent motion is not heard by 4:30 p.m. on May 15, 2020, in Superior Court, Law Division, Burlington County, then he withdraws his objection to the transfer of the case. He is firm about having his motion to modify heard as soon as possible so that he can resume parenting time with [REDACTED]

12. 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 willfully false, I am subject to punishment.

Dated: MAY 14, 2020

Jennifer L. Gottschalk
Jennifer L. Gottschalk

JENNIFER L. GOTTSCHALK, ESQ.
NJ Bar ID Number 003391980
1920 Fairfax Avenue
Cherry Hill, New Jersey 08003

(856)295-8939 (fax)
jgottschalkesq@gmail.com
Attorney for defendant Richard Hone

STATE OF NEW JERSEY,
Plaintiff,

v.

RICHARD HONE,
Defendant.

SUPERIOR COURT OF NEW JERSEY
BURLINGTON COUNTY-LAW DIVISION
DOCKET NO. W-2020-116-1506

Criminal Action

OBJECTION TO TRANSFER OF
CASE FROM BURLINGTON COUNTY TO
OCEAN COUNTY

TO: Taylor Toscano, Esq., Asst. Ocean County Prosecutor
Ocean County Prosecutor's Office
119 Hooper Ave., P.O. Box 2191
Toms River, NJ 08754

Shannon Denise, Criminal Division Manager
Superior Court, Law Division
Burlington County Courts Facility
P.O. Box 6555
Mount Holly, NJ 08060

Please take notice that defendant Richard Hone objects to the entry of the Order transferring the above-captioned matter from Burlington County to Ocean County that was entered on May 14, 2020. He requests that the matter be transferred to the Monmouth County Vicinage.

He relies upon the attached certification in support of his objection, and asks that this objection be considered on an emergent basis before close of court business on May 15, 2020.

Dated: May 15, 2020

Jennifer L. Gottschalk
Jennifer L. Gottschalk, Esq.

Khajezadeh, Dina

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Sent: Friday, May 15, 2020 1:00 PM
To: Laura Roche
Cc: Toscano, Taylor; Shannon Denise
Subject: Re: [External]RE: State v. Richard Hone

If the only matter being heard on Monday is the objection, and not Mr. Hone's pro se motion, then the objection is withdrawn and the matter for Monday can be canceled.

Thank you,
Jennifer Gottschalk

On Fri, May 15, 2020 at 12:11 PM Laura Roche <Laura.Roche@njcourts.gov> wrote:

Judge Covert has scheduled the objection to transfer for Monday, May 18, 2020 at 2:00 p.m. You will receive the Zoom information from a member of the criminal division. Thank you.

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, May 15, 2020 11:51 AM
To: Jennifer Gottschalk <jgottschalkesq@gmail.com>; Laura Roche <Laura.Roche@njcourts.gov>
Subject: [External]RE: State v. Richard Hone

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I could be wrong, but I thought Monday we would have a hearing on objecting to the transfer, not the "reconsideration" motion.

Thanks,

Taylor

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>

Date: 5/15/20 11:44 AM (GMT-05:00)

To: Laura Roche <laura.roche@njcourts.gov>, "Toscano, Taylor" <TToscano@co.ocean.nj.us>

Subject: State v. Richard Hone

I have just discussed this matter with the client. He wishes to have Judge Covert hear his emergent application at 2 p.m. on Monday on a pro se basis.

Thank you,

Jennifer Gottschalk

--

JENNIFER L. GOTTSCHALK, ESQUIRE

1920 Fairfax Avenue

Cherry Hill, New Jersey 08003

NJ Bar ID 003391980

phone- [REDACTED]

fax-(856)295-8939

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--

JENNIFER L. GOTTSCHALK, ESQUIRE

1920 Fairfax Avenue

Cherry Hill, New Jersey 08003

NJ Bar ID 003391980

phone-[REDACTED]

fax-(856)295-8939

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Khajezadeh, Dina

From: Laura Roche <Laura.Roche@njcourts.gov>
Sent: Friday, May 15, 2020 11:56 AM
To: Toscano, Taylor; Jennifer Gottschalk
Subject: RE: [External]RE: State v. Richard Hone

I believe so too. Monday would only address the objection to transfer, which Ms. Gottschalk filed, not a pro se filing.

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, May 15, 2020 11:51 AM
To: Jennifer Gottschalk <jgottschalkesq@gmail.com>; Laura Roche <Laura.Roche@njcourts.gov>
Subject: [External]RE: State v. Richard Hone

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I could be wrong, but I thought Monday we would have a hearing on objecting to the transfer, not the "reconsideration" motion.

Thanks,
Taylor

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Jennifer Gottschalk <jgottschalkesq@gmail.com>
Date: 5/15/20 11:44 AM (GMT-05:00)
To: Laura Roche <laura.roche@njcourts.gov>, "Toscano, Taylor" <TToscano@co.ocean.nj.us>
Subject: State v. Richard Hone

I have just discussed this matter with the client. He wishes to have Judge Covert hear his emergent application at 2 p.m. on Monday on a pro se basis.

Thank you,
Jennifer Gottschalk

--

JENNIFER L. GOTTSCHALK, ESQUIRE
1920 Fairfax Avenue
Cherry Hill, New Jersey 08003
NJ Bar ID 003391980
phone: [REDACTED]
fax-(856)295-8939

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Khajezadeh, Dina

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Tuesday, May 26, 2020 9:58 AM
To: John@johnreillylaw.com; agustina.lane@njcourts.gov; Lisa.Fischer@njcourts.gov
Cc: Theresa Gilboy
Subject: RE: Richard Hone adv. State, Case No. 20000532

Good morning,

We previously argued several motions before Criminal Presiding Judge Cook in Burlington County regarding this matter. After ruling on a venue motion, and a motion to disqualify OCPO from prosecuting this case, he determined the modification motion should only be heard after the motion to reconsider a family motion was heard in Monmouth County in order to prevent additional conflicting orders. That hearing was originally scheduled for May 22nd, however, was recently adjourned to June 10th I believe. As such, I would request a date after that reconsideration motion is heard. Additionally, I would note that Mr. Hone's motion is not emergent as he is not facing any irreparable harm by not scheduling this motion for an earlier date. Judge Tarantino of Burlington has previously denied this motion to remove the no contact order.

Thank you,

Taylor Toscano
OCPO

From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Tuesday, May 26, 2020 9:43 AM
To: Wendel Daniels <Wendel.Daniels@njcourts.gov>; agustina.lane@njcourts.gov; Lisa.Fischer@njcourts.gov; Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: Richard Hone adv. State, Case No. 20000532

Dear All,

I have been assigned as attorney for Mr. Richard Hone for the above matter. I am advised that Mr. Hone's pending emergent motion to modify the conditions of his pre-trial release is to be scheduled before Judge Daniels. Please advise, via reply e-mail, of the earliest date, time and manner when/by which this motion may be presented to the Court.

Please call with any questions.

Thank you,

John Reilly

John P. Reilly, Esq.
One Hadley Avenue
P.O. Box 4748
Toms River, NJ 08754
Tele: (732) 244-5100
Fax: (732) 244-0420
E-mail: john@johnreillylaw.com

If there are any problems with this transmission, please contact John P. Reilly, Esq. at (732) 244-5100. This transmission may contain confidential and/or privileged information intended only for the review of the intended recipient(s) named above. If you are not the intended recipient, you are hereby notified that any disclosure, copying, distribution or taking of any action in reliance on the contents of this transmission is strictly prohibited. In this regard, should you have received this transmission in error, please immediately notify this office by telephone at (732) 244-5100, upon which appropriate arrangements will be made/action taken.

Khajezadeh, Dina

From: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Sent: Tuesday, May 26, 2020 3:37 PM
To: Toscano, Taylor; John@johnreillylaw.com; Brandon Dejesus; Wendel Daniels
Subject: RE: [External]RE: Richard Hone conference

Good afternoon,

Thank you all for confirming your availability. I will be sending a ZOOM invite for the conference shortly. If you have any questions, please let me know. Thank you.

Regards,
Luisa T. Ojeda
Senior Bilingual Probation Officer &
Calendar Coordinator for the Hon. Wendel E. Daniels, P.J.Cr.
Superior Court of NJ – Ocean Vicinage
Tel: 732-504-0700, ext. 64308
Fax: 732-506-5067

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Tuesday, May 26, 2020 3:23 PM
To: John@johnreillylaw.com; Brandon Dejesus <brandon.dejesus@njcourts.gov>; Wendel Daniels <Wendel.Daniels@njcourts.gov>
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Subject: [External]RE: Richard Hone conference

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon,

I'm available. Thank you!

Taylor

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: John@johnreillylaw.com
Date: 5/26/20 3:22 PM (GMT-05:00)
To: Brandon Dejesus <brandon.dejesus@njcourts.gov>, "Toscano, Taylor" <TToscano@co.ocean.nj.us>, wendel.daniels@njcourts.gov
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Subject: RE: Richard Hone conference

Khajezadeh, Dina

From: John@johnreillylaw.com
Sent: Tuesday, May 26, 2020 3:22 PM
To: Brandon Dejesus; Toscano, Taylor; wendel.daniels@njcourts.gov
Cc: Luisa Ojeda
Subject: RE: Richard Hone conference
Attachments: Richard Hone adv. State, Case No. 20000532, 5-26-2020 Judge Wendel E. Daniels Letter .pdf

Dear All,

I am available for conference tomorrow at 11:30 am via zoom. Please confirm same via reply e-mail.

In this regard, please see my attached correspondence e-filed this date as relates to defendant's request that hearing upon his pending motion to modify the conditions of pre-trial release be scheduled for the earliest possible date/time.

Thank you,

John Reilly

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

Subject: Richard Hone conference
From: Brandon Dejesus <brandon.dejesus@njcourts.gov>
Date: Tue, May 26, 2020 2:59 pm
To: "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

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Judge Daniels is requesting a conference regarding the Hone matter. Could the parties please confirm their availability to conference the matter tomorrow at 11:30am.

Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, [P.J.Cr.](#)
Superior Court of New Jersey, Ocean Vicinage
120 Hooper Avenue, Courtroom 12
Toms River, N.J. 08754
Tel: 732-504-0700, Ext. 64226
Fax: 732-435-8426
E-mail: Brandon.dejesus@njcourts.gov

John P. Reilly

Attorney at Law

One Hadley Avenue, P.O. Box 4748

Toms River, NJ 08754

Telephone: (732) 244-5100 • Facsimile: (732) 244-0420

e-mail: john@johnreillylaw.com

May 26, 2020

Honorable Wendel E. Daniels, P.J.S.C.
Superior Court of New Jersey
Ocean County Courthouse
P.O. Box 2191
Toms River, New Jersey 08754

Via E-Courts & E-mailed to Wendel.Daniels@njcourts.gov

Re: State v. Richard Hone
Brick Twp. Complaint/Warrant No. 1506-W-2020-116
O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Judge Daniels:

I represent the defendant, Mr. Richard Hone, for the above matter as has been transferred from Burlington to Ocean County pursuant to Order of Burlington County Judge Jeanne T. Covert, A.J.S.C. of 5/14/2020. I write this letter urging that hearing upon defendant's pending motion to modify the conditions of pretrial release be scheduled for the earliest possible date/time for the reasons set forth below.

All pleadings/events as relevant to the within motion and as described below may be found/confirmed on e-courts, and are as follows (**Note**, defendant will be herein referred to as Hone, [REDACTED] as [REDACTED] their 5 year old daughter as [REDACTED], and Brick Twp. Complaint/Warrant No. 1506-W-2020-116 as the subject Complaint):

- 8/4/2017** Monmouth Criminal Judge Leslie-Ann Justice enters a Permanent Restraining Order Under Monmouth County Case No. 16000548, Indictment No. 16-10-0548, by which Hone is restrained from contact with [REDACTED] but with his contact with [REDACTED] to be controlled by Family Court Dkt. No. FV-13-01267-17.
- 12/19/2020** Under Monmouth County Family Part Docket No. FD-13-186-20, parenting issues are established as allow Hone's contact with [REDACTED]
- 12/28/2019** The subject Complaint is issued alleging events of 12/28/2020.
- 1/21/2020** Monmouth Superior Judge Honora O'Brien Kilgallen issues TRO under Docket No. FV-13-923-20 based upon Hone's alleged harassing communications of 1/9/20, 1/10/20, 1/18/20 & 1/21/20. Same points to alleged prior harassing communications of 12/25/19, 12/28/19 and 1/4/20. Same calls for final hearing date of 1/27/2020. Note: Same is specifically amended on 1/22/2020 to suspend Hone's parenting of [REDACTED] pending final hearing.

2/10/2020 The subject Complaint is issued alleging events of 12/28/2020, alleging Hone's harassment of [REDACTED] in violation of Judge Leslie-Ann Justice's 8/4/17 restraining order, upon which Hone is arrested and confined in the Ocean County Jail.

2/11/2020 Judge Marlene Lynch Ford, on her motion, issues Order transferring Venue of Ocean Criminal Case No. 20000532 to Burlington County where is it assigned Case No. 20000607.

2/11/2020 O.C. Prosecutors Office brings Motion for Pretrial Detention.

2/21/2020 Burlington Co. Judge Mark Tarantino issues Order under Burlington Case No 2000607 denying detention motion and releasing Hone under level 3 monitoring and assigns Pre-Trial Monitoring to Burlington Co. Pre-trial services. **Note:** Although the wording of the Order is somewhat confusing, the "Event Sheet" filed with e-courts contains specific provision of "**NCWV or Child**", i.e. no-contact with [REDACTED]

4/2/2020 Hearing upon TRO Docket No. FV-13-923-20 is conducted and Monmouth Co. Superior Court Judge Angela White Dalton dismisses the 1/21/2020 TRO under finding that allegation of domestic violence was not substantiated. Contains inscription "Testimony Revealed Domestic Contretemps".

4/2/2020 Hone files motion to amend Judge Tarantino's Order upon Criminal Case 20000607 to adhere to said Order entered upon FV-13-923-20.

4/3/2020 Attorney for Hone, Karen Thek, Esq. files motion to modify the conditions of Judge Tarantino's 2/21/2020 Order founded upon Judge Angela White Dalton's 4/2/2020 Order upon Docket No. FV-13-923-20.

4/7/2020 O.C. Prosecutor Taylor Toscano, A.P. files letter memo in opposition to modify Hone's pretrial release conditions, wherein it is specifically argued that: "**Any issue the defendant wishes to address regarding parenting time should be address by way of motion in the Family Division under a non-dissolution docket (emphasis added).**"

4/8/2020 Judge Tarantino enters Order denying the motion to modify, Jennifer L. Gottschalk, Esq stated as appearing for Hone. **Note:** Although not in the wording of the Order, the "Event Sheet" contains specific provision of "**Continue PML# W/NCWV or Child.**"

4/9/2020 Monmouth Family Part Judge Gregory Acquaviva enters Order under Docket No. FD-13-186-20 granting in part denying in part Hones's and [REDACTED] motion(s), which Order allows for Hone's contact with [REDACTED].

4/10/2020 Attorney Gottshalk files Motion to Modify monitoring conditions of Hone's pre-trial release, specifically to delete the "no contact" provision with [REDACTED] and providing that all contact with [REDACTED] be forthwith governed by the orders of the court under said Docket No. FD-13-186-20.

4/17/2020 O.C. Prosecutor Toscano files letter memo and exhibits in opposition to Hone's 3 pending motions, and as to said motion to modify pre-trial conditions specifically argues:

"At that (i.e. the 4/9/2020) hearing, Judge Acquaviva ruled on parenting time for the defendant based on documents that were previously submitted to the Court. During that hearing, the parties appeared by telephone and the victim did mention that there was a criminal release order prohibiting contact with the child. At that time, Judge Acquaviva asked the victim if she had a copy of that order, but apparently neither party had the order to provide to the Judge. Without the ability to consider the criminal release order, Judge Acquaviva entered an Order that now conflicts with Your Honor's (Judge Tarantino's) Order.

After the family hearing, the victim filed a motion to reconsider that order as she now has both the pretrial release order and the order denying defendant's request to modify his release conditions permitting contact with the victim and her child. **While the State concedes that a Family Court is the more appropriate court to handle issues of parenting time, the state would argue that the Family Court did not have the full facts to consider when determining whether the defendant should have contact with the child. As such, I would respectfully ask Your Honor to hold off on any decision to modify the current release order pending the outcome of the victim's motion for reconsideration. It is not procedurally practical to modify the current release order to allow contact, only for the Family Division to perhaps reverse its prior decision permitting parenting time (emphasis added).** The State has significant concerns with the defendant's [prior behavior and the victim is still in fear of this defendant."

Note: Although I find no document confirming same, it is my understanding that as of this time [REDACTED] motion for reconsideration of Judge Acquaviva's 4/9/2020 Order was scheduled to proceed before Judge Acquaviva on 5/22/2020.

4/21/2020 Judge Tarantino's Event Sheet says that the motion to modify conditions can't be heard until Hone's motion to remove the O.C. Prosecutor and motion to transfer to Chancery Division are decided.

5/5/2020 Attorney Gottschalk sends letter to Judge Tarantino advising that the motions to remove and to transfer are scheduled to proceed before Burlington Judge Terrance R. Cook on 5/8/2020 and asking that the motion to modify be scheduled as soon thereafter as possible.

5/6/2020 Attorney Gottschalk files proposed form of Order modifying monitoring conditions.

- 5/8/2020** Judge Terrance Cook, P.J. Cr. enters Order denying Motions to Remove and to transfer. **Note:** Order Unsigned and indicated as filed on e-courts on 5/12/2020.
- 5/14/2020** Burlington Judge Jeanne T. Covert, A.J.S.C., on the court's motion enters Order transferring matter back to Ocean County if not objected to w/i 10 days.
- 5/14/2020** Attorney Jennifer L. Gottschalk files objection to transfer Order.

Note: Although I find no document confirming same, it is my understanding that as of this time [REDACTED] motion for reconsideration of Judge Acquiviva's 4/9/2020 Order has now been rescheduled to be conducted on 6/10/2020.

Simply stated, all concerned recognize and accept that Judge Acquiviva has been and remains in the best position and is the most appropriate member of our Courts to rule upon parenting issues, including the seminal issue of a father's contact with his daughter. Any claim that his understanding or appreciation of the crucial fact that Judge Tarantino had entered an Order of no-contact of which he was advised by and which was discussed among the parties at the hearing of 4/9/2020 was somehow incomplete or diminished due to his not then having in hand the physical document(s) confirming this fact is unfounded at best, sophistic at worst. Likewise, any claim that properly removing the no-contact provision from the Criminal Court Order may result in procedural difficulties should the Family Court at some later date decide to reverse itself and order same is an fully incongruous projection.

Absent the no contact provision contained in Judge Tarantino's Orders, Hone would this day be resuming his relationship with his daughter, via Skype 4 times a week, via a supervised 2 hour visit once a week, as has been determined to be in his daughter's best interest. Hone is determined to abide by this schedule and, should same be changed at the currently scheduled hearing of 6/10/2020 or again sometime thereafter, to likewise meet and comply with such requirements as may be placed upon his continued relationship with his child.

June 10, 2020 is 2 weeks away. Two weeks with his daughter that this father will never get back and which are only denied to him by the Order of a criminal court, whose overriding concerns upon determining the conditions of a defendant's release from jail must remain that of the safety of the community in general, the safety of an alleged victim in particular, and the risk of a given defendant's flight. Better that such decision be left to the Court whose concern is, rather, navigating the disagreements of adults in a means and manner that satisfies its overriding concern for the best interest of their children.

For the reasons set forth above, it is respectfully submitter that the conditions placed upon Hone's Pre-Trial Release be promptly modified to provide that all contact with [REDACTED] shall forthwith be governed by the Orders of the Court upon pending Monmouth County Docket No. FD-13-186.20.

Please advise of Your Honor's decision upon this request at your earliest convenience.

Thank you for your kind attention.

Respectfully yours,

S/ John P. Reilly

By:

JOHN P. REILLY, ESQ.
Attorney for Defendant,
Richard Hone

JPR/afr

cc (via e-courts & e-mail): Ms. Taylor Toscano, A.P.

Khajezadeh, Dina

From: John@johnreillylaw.com
Sent: Wednesday, May 27, 2020 12:25 PM
To: Brandon Dejesus; Toscano, Taylor; wendel.daniels@njcourts.gov
Cc: Luisa Ojeda
Subject: RE: Richard Hone conference
Attachments: Richard Hone adv. State, Case No. 20000532, Brick Complaint No. 1506-W-2020-116, Proposed Form of Order.doc

Dear All,

Attached please find a proposed form of Order upon defendant's motion to modify pre-trial conditions filed with e-courts this date. With reference to our conference of this date, I am advised that the 4/9/2020 telephonic conference before Judge Acquaviva lasted for at/around 2 hours and that the discussion as to the subject no-contact provision was early-on in same, following which he ruled upon all the issues of his order including that as to defendant's contact with the child.

Please all with any questions,

Thank you,

John Reilly

Dear All,

I am available for conference tomorrow at 11:30 am via zoom. Please confirm same via reply e-mail.

In this regard, please see my attached correspondence e-filed this date as relates to defendant's request that hearing upon his pending motion to modify the conditions of pre-trial release be scheduled for the earliest possible date/time.

Thank you,

John Reilly

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

Subject: Richard Hone conference
From: Brandon Dejesus <brandon.dejesus@njcourts.gov>
Date: Tue, May 26, 2020 2:59 pm
To: "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Good Afternoon,

Judge Daniels is requesting a conference regarding the Hone matter. Could the parties please confirm their availability to conference the matter tomorrow at 11:30am.

Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, [P.J.Cr.](#)
Superior Court of New Jersey, Ocean Vicinage
120 Hooper Avenue, Courtroom 12
Toms River, N.J. 08754
Tel: 732-504-0700, Ext. 64226
Fax: 732-435-8426
E-mail: Brandon.dejesus@njcourts.gov

JOHN P. REILLY, ESQ.
One Hadley Avenue, P.O. Box 4748
Toms River, NJ 08754
I.D. No. 015041980, john@johnreillylaw.com, (732) 244-5100
Attorney for Defendant, Richard Honehonehonne

THE STATE OF NEW JERSEY,

Plaintiff,
vs.

RICHARD HONE,

Defendant.

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
LAW DIVISION / CRIMINAL PART

BRICK TWP. COMPLAINT-WARRANT
NO. 1506-W-2020-116

PROSECUTOR CASE NO. 20000532

Criminal Action

ORDER MODIFYING CONDITIONS UPON
DEFENDANT'S PRE-TRIAL RELEASE TO
PROVIDE THAT ALL PARENTING ISSUES,
INCLUDING BUT NOT LIMITED TO
DEFENDANT'S CONTACT WITH HIS MINOR
CHILD, BE CONTROLLED BY/SUBJECT TO
THE ORDERS/DIRECTIONS OF THE
CHANCERY DIVISION, FAMILY PART AS
CURRENTLY PENDING BENEATH DOCKET
NO. MON-FD-186-20.

THIS MATTER, having been presented to the Court upon defendant's, Richard Hone's (defendant), notice of motion for an order modifying conditions upon defendant's pre-trial release as relate to the within matter to provide that all parenting issues, including but not limited to defendant's contact with his minor child [REDACTED] (hereafter the Child) be controlled by/subject to the orders/directions of the Superior Court of New Jersey, Chancery Division, Family Part, as currently pending beneath Docket No. MON-FD-186-20, and John P. Reilly, Esq. appearing as attorney for defendant and Taylor Toscano, A.P. appearing for the State of New Jersey, and the Court having considered the papers submitted and/or the arguments of counsel, and for other good cause shown;

IT IS ON THIS _____ DAY OF _____, 2020,

ORDERED AND ADJUDGED, that conditions upon defendant's pre-trial release as relate to the within matter be and hereby are modified to provide that all parenting issues, including but not limited to defendant's contact with the Child, shall be controlled by/subject to the orders/directions of the Superior Court of New Jersey, Chancery Division, Family Part, as currently pending beneath Docket No. MON-FD-186-20.

WENDEL E. DANIELS, P.J.Cr.P.

Khajezadeh, Dina

From: Wendel Daniels <Wendel.Daniels@njcourts.gov>
Sent: Wednesday, May 27, 2020 12:49 PM
To: Brandon Dejesus; Toscano, Taylor; John@johnreillylaw.com
Cc: Luisa Ojeda
Subject: Re: [External]RE: Richard Hone conference

Thanks.
Judge Daniels

Sent from my Verizon, Samsung Galaxy smartphone

From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Wednesday, May 27, 2020 12:24:56 PM
To: Brandon Dejesus <brandon.dejesus@njcourts.gov>; TToscano@co.ocean.nj.us <TToscano@co.ocean.nj.us>; Wendel Daniels <Wendel.Daniels@njcourts.gov>
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Subject: [External]RE: Richard Hone conference

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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John Reilly

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John Reilly

----- Original Message -----
Subject: Richard Hone conference

Khajezadeh, Dina

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Wednesday, May 27, 2020 1:50 PM
To: Wendel Daniels; Brandon Dejesus; John@johnreillylaw.com
Cc: Luisa Ojeda
Subject: RE: [External]RE: Richard Hone conference
Attachments: Hone response May 27 WED.pdf; Tadros v Hone - OTSC 5.22.20 Order--Monmouth.pdf

Good afternoon,

Attached please find my response to defense counsel's letter, which includes the standard to modify release conditions and a recent Order signed by Judge Acquaviva of Monmouth County.

Thank you!
Taylor

From: Wendel Daniels <Wendel.Daniels@njcourts.gov>
Sent: Wednesday, May 27, 2020 12:49 PM
To: Brandon Dejesus <brandon.dejesus@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>; John@johnreillylaw.com
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Subject: Re: [External]RE: Richard Hone conference

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Judge Daniels

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Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Subject: [External]RE: Richard Hone conference

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John Reilly

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From: Brandon DeJesus <brandon.dejesus@njcourts.gov>

Date: Tue, May 26, 2020 2:59 pm

To: "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

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Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, [P.J.Cr.](#)

Superior Court of New Jersey, Ocean Vicinage

120 Hooper Avenue, Courtroom 12

Toms River, N.J. 08754

Tel: 732-504-0700, Ext. 64226

Fax: 732-435-8426

E-mail: Brandon.dejesus@njcourts.gov

BRADLEY D. BILLHIMER
Ocean County Prosecutor

VINCENT A. PETRECCA
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

The Honorable Wendel E. Daniels, P.J.Cr.P.
Via email to law clerk and courtstaff

RE: State v. Richard Hone (20000532)

Judge Daniels,

As Your Honor is aware, there is presently a pending motion to modify the defendant's release conditions to remove a no contact provision with his daughter.

A Superior Court Judge may review the conditions of pretrial release set pursuant to R. 3:26-1 on its own motion, or upon motion by the prosecutor or the defendant alleging that there has been a material change in circumstance that justifies a change in conditions. R. 3:26-2c(2).

By way of background, the defendant was released from state prison on December 1, 2019 for previous offenses against this same victim. During that time period, there was a parenting time schedule in place where he was permitted 1 video call per week. The victim did comply with that parenting time Order. Less than a month from being released from state prison, the defendant violated a Permanent Restraining Order by harassing the victim, advising her that he had previously put out hits to have individuals murdered via organized crime, and had sent a photo of one boxer punching another and told the victim he was "thinking of her." This caused the victim to report the harassment to the police. As such, the defendant was arrested in February and after a detention hearing was ordered to comply with certain conditions, including no contact with the victim or their mutual child.

After a Family Court Temporary Restraining Order was dismissed, the defendant filed a motion to modify his conditions to remove the no contact provision with the child. Judge Tarantino determined there was no material change and denied his motion on April 8, 2020. The very next day, the parties had a hearing over the phone in Family Court for a multitude of issues. The victim advises that she did bring up the issue of the no contact provision in the Criminal Part, however, neither party had a copy of that Release Order to provide to Judge Acquaviva in

Monmouth County. As a result, he continued parenting time for the defendant. Regardless, this Order was not the first time the defendant was permitted parenting time with the child—it only modified his parenting time. This is not a case where the Judge ruled, despite the Release Order, that he should *start* parenting time with his daughter. He simply ruled how often and how the parties would facilitate parenting time. Because the defendant always had parenting time with the child, there was no material change.

The victim in this case filed a motion to reconsider Judge Acquaviva's Order. It was originally scheduled to be heard on May 22, 2020. That hearing was later adjourned to June 10, 2020. Upon hearing of the adjournment, the defendant filed multiple emergent applications under the family court docket, all of which were denied by Judge Acquaviva. (See attached.) Most notably, Judge Acquaviva did not find that any of the relief requested by the defendant was emergent, including his parenting time with the minor child. As such, I am asking Your Honor to also find that this emergent request filed by the defendant is not emergent, and should be decided on after the motion for reconsideration is heard by Judge Acquaviva.

Respectfully,

/s/ Taylor E. Toscano
Attorney ID: 153792015

CC: Defense counsel via email

FILED AND SERVED ELECTRONICALLY 5.22.20

RICHARD HONE,	:	SUPERIOR COURT OF NEW JERSEY
	:	CHANCERY DIVISION/FAMILY PART
Plaintiff	:	MONMOUTH COUNTY
	:	CIVIL ACTION ORDER
vs.	:	
	:	DOCKET NO. MON-C-8-20 (formerly
	:	MID-C-171-17)
Defendant	:	
	:	
Plaintiff	:	
vs.	:	
RICHARD HONE,	:	DOCKET NO. FD-13-186-20,
Defendant	:	

THESE MATTERS having been opened on May 20, 2020 by Mr. Hone, self-represented, via application for emergent relief, Ms.  appearing, self-represented, the Court having reviewed the papers, and for good cause shown,

IT IS on this 22nd day of May, 2020, **ORDERED** that:

1. Mr. Hone's request for emergent relief is **DENIED**, having failed to satisfy the standards of Crowe v. DeGoia, 90 N.J. 126 (1992) and Garden State Equality v. Dow, 216 N.J. 314 (2013).

/s/ Gregory L. Acquaviva
HON. GREGORY L. ACQUAVIVA, J.S.C.

See Statement of Reasons

Statement of Reasons

On April 9, 2020, the Court issued a lengthy decision concerning the on-going disputes in this matter, addressing, among other things, pendente lite custody, pendente lite parenting time, child support, and procedures for a future plenary regarding parenting time and custody, among myriad other prayers for relief. Both parties filed motions for reconsideration, which were scheduled for May 22, 2020.

On May 14, 2020, based on Ms. [REDACTED] request and over Mr. Hone's objection, the reconsideration motions were adjourned to June 10, 2020 – an adjournment of 19 days, including weekends and State holidays. Ms. [REDACTED] represented that a time-sensitive medical procedure was scheduled for May 22. Accordingly, she asked for a brief adjournment to the following week.

Unfortunately, the Court's schedule would not allow an adjournment to the date(s) requested by Ms. [REDACTED] – nor for that matter the dates now requested by Mr. Hone – and the matter was scheduled for June 10.

Since May 14, 2020, Mr. Hone has filed three emergent applications challenging the granting of the adjournment and seeking a return date sooner than June 10, 2020, including this application. In sum, Mr. Hone contends that the adjournment and accordant delay created by such violates his civil rights and the custody statute N.J.S.A. 9:2-4.

On May 15, 2020, following oral argument on the emergent application, the Court denied Mr. Hone's application for failure to demonstrate entitlement to relief pursuant to Crowe v. DeGoia, 90 N.J. 126 (1992) and Garden State Equality v. Dow, 216 N.J. 314 (2013). Reasons were stated on the record.

On May 20, 2020, following oral argument on the emergent application, the Court again denied Mr. Hone's application for failure to demonstrate entitlement to relief pursuant to Crowe v. DeGioia, 90 N.J. 126 (1992) and Garden State Equality v. Dow, 216 N.J. 314 (2013). Reasons were stated on the record.

Notably, the May 20 proceeding concluded at 4:01 p.m. At 4:07 p.m. – just six minutes later – Mr. Hone filed this emergent application. The Court's Order following the May 20 hearing was not electronically served on the parties until 4:55 p.m.

This third rendition is little more than a doppelganger for the prior two emergent applications. Mr. Hone presents no new circumstances that change the balance from the prior two denials. And the same result shall occur for the same reasons previously enumerated on the record.

Ms. [REDACTED] did not reply to this third emergent application.

Crowe and Garden State Equality stand for the proposition that emergent relief is appropriate only where a movant – here, Mr. Hone – can demonstrate by clear and convincing evidence that: (1) restraints are necessary to prevent irreparable harm; (2) the legal right underlying the claim is settled; (3) no material facts are controverted and the movant can demonstrate a reasonable probability of success on the merits; and (4) the balance of the relative hardships favors granting relief.

With respect to adjournment requests, courts have broad discretion to grant adjournments to allow a party to participate in a matter. J.D. v. M.D.F., 207 N.J. 458, 480 (App. Div. 2011). Here, Ms. [REDACTED] requested a brief adjournment, so that she could fully participate in this matter while still addressing a medical ailment. The fact that she requested a date the following week is

a strong indication that her request was not designed to create undue or illicit delay. Mr. Hone has failed to demonstrate how the granting of a brief adjournment by the Court was an abuse of its discretion, where Ms. [REDACTED] provided a rational grounds for the request.

The Court is not insensitive to Mr. Hone's desire for timely relief. However, the adjournment granted was brief and the date selected was premised on the Court's crowded calendar, in recognition of the time anticipated to address the myriad points sought to be reconsidered by both parties, and the amount of time such shall take. Mr. Hone has not demonstrated that the granting of the adjournment request was in error, nor that a modest, reasonable delay regarding the motions for reconsideration will cause irreparable harm to the child nor to him. Indeed, the April 2020 Order allows Mr. Hone to have regular contact with his daughter in a supervised context, not to mention regular virtual contact. Indeed, the April 2020 Order increased Mr. Hone's parenting time and virtual contact with the child from that previously ordered in December 2019. The availability of such time and contact thus undermines any contention of irreparable harm or deprivation of parenting time/contact with the child.

To the extent the modest adjournment causes the loss of parenting time – as opposed to a failure to exert same – such can be redressed through compensatory time, thus providing Mr. Hone with potential redress available at equity.

The balance of hardships does not favor relief. The brief delay must be balanced against Ms. [REDACTED] representations that she requires a medical procedure and that, due to the on-going public health emergency, the date offered by her medical provider was unfortunately the date of the proceeding.

Finally, and again, Mr. Hone certifies to no circumstances that are different today than they were at the time of the prior two denials of his near identical applications for emergent relief.

Accordingly, Mr. Hone's request for emergent relief is again denied.

Khajezadeh, Dina

From: John@johnreillylaw.com
Sent: Wednesday, May 27, 2020 2:48 PM
To: Brandon Dejesus; Toscano, Taylor; wendel.daniels@njcourts.gov
Cc: Luisa Ojeda
Subject: RE: Richard Hone conference
Attachments: Richard Hone adv. State, Case No. 20000532, 5-27-2020 Judge Wendel E. Daniels Letter .pdf

Dear All,

Please see the attached letter offered in response to the State's submission of this afternoon e-filed this date.

Thank you,

John Reilly

Dear All,

Attached please find a proposed form of Order upon defendant's motion to modify pre-trial conditions filed with e-courts this date. With reference to our conference of this date, I am advised that the 4/9/2020 telephonic conference before Judge Acquaviva lasted for at/around 2 hours and that the discussion as to the subject no-contact provision was early-on in same, following which he ruled upon all the issues of his order including that as to defendant's contact with the child.

Please all with any questions,

Thank you,

John Reilly

Dear All,

I am available for conference tomorrow at 11:30 am via zoom. Please confirm same via reply e-mail.

In this regard, please see my attached correspondence e-filed this date as relates to defendant's request that hearing upon his pending motion to modify the conditions of pre-trial release be scheduled for the earliest possible date/time.

Thank you,

John Reilly

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

Subject: Richard Hone conference

From: Brandon Dejesus <brandon.dejesus@njcourts.gov>

Date: Tue, May 26, 2020 2:59 pm

To: "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Good Afternoon,

Judge Daniels is requesting a conference regarding the Hone matter. Could the parties please confirm their availability to conference the matter tomorrow at 11:30am.

Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, [P.J.Cr.](#)

Superior Court of New Jersey, Ocean Vicinage

120 Hooper Avenue, Courtroom 12

Toms River, N.J. 08754

Tel: 732-504-0700, Ext. 64226

Fax: 732-435-8426

E-mail: Brandon.dejesus@njcourts.gov

John P. Reilly

Attorney at Law

One Hadley Avenue, P.O. Box 4748

Toms River, NJ 08754

Telephone: (732) 244-5100 • Facsimile: (732) 244-0420

e-mail: john@johnreillylaw.com

May 27, 2020

Honorable Wendel E. Daniels, P.J.S.C.

Superior Court of New Jersey

P.O. Box 2191

Toms River, New Jersey 08754

Via E-Courts & E-mailed to Wendel.Daniels@njcourts.gov

Re: State v. Richard Hone

Brick Twp. Complaint/Warrant No. 1506-W-2020-116

O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Judge Daniels:

Please recall that I represent the defendant, Mr. Richard Hone (Mr. Hone), for the above matter. I am in receipt of the State's opposition filed this date and more particularly the 5/22/2020 Order referred to therein. In this regard, I point the Court to the following language contained on page 4 of this Order:

"Mr. Hone has not demonstrated that the granting of the adjournment request was in error, nor that a modest reasonable delay regarding the motions for reconsideration will cause irreparable harm to the child or to him. Indeed, the April 2020 Order allows Mr. Hone to have regular contact with his daughter in a supervised context, not to mention regular virtual contact. Indeed, the April 2020 Order increased Mr. Hone's parenting time and virtual contact with the child from that previously ordered in December, 2019. The availability of such time and contact thus undermines any contention of irreparable harm or deprivation of parenting time/contact with the child."

In other words, the Family Part Judge most intimately involved with and aware of the circumstances as relate to the issues of parenting and the best interest of the child only found Mr. Hone not to suffer irreparable harm so long as he may continue to have parenting time/contact with his daughter as ordered on April 9, 2020. What better reason to immediately modify the terms of the order entered by a Criminal Court which, if left to stand as is, deny to Mr. Hone that very same parenting time/contact as thus envisioned/remained ordered.

Thank you for your kind attention.

Respectfully yours,

S/ John P. Reilly

By:

JOHN P. REILLY, ESQ.

Attorney for Defendant,

JPR/afr

cc (via e-courts & e-mail): Ms. Taylor Toscano, A.P.

Khajezadeh, Dina

From: Brandon Dejesus <brandon.dejesus@njcourts.gov>
Sent: Wednesday, May 27, 2020 4:58 PM
To: John@johnreillylaw.com; Toscano, Taylor; Wendel Daniels
Cc: Luisa Ojeda
Subject: Re: [External]RE: Richard Hone conference

I am currently awaiting Judge's response regarding the scheduling of this hearing. I will provide counsel an update as soon as one is received.

Thank you for your patience and understanding.

Best,
Brandon

From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Wednesday, May 27, 2020 4:49 PM
To: Brandon Dejesus <brandon.dejesus@njcourts.gov>; TToscano@co.ocean.nj.us <TToscano@co.ocean.nj.us>; Wendel Daniels <Wendel.Daniels@njcourts.gov>
Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>
Subject: [External]RE: Richard Hone conference

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear All,

Any word on scheduling of hearing upon defendant's motion to modify conditions of pre-trial release.

Please advise.

Thank you,

John Reilly

Dear All,

Please see the attached letter offered in response to the State's submission of this afternoon e-filed this date.

Thank you,

John Reilly

Dear All,

Attached please find a proposed form of Order upon defendant's motion to modify pre-trial conditions filed with e-courts this date. With reference to our conference of this date, I am advised that the 4/9/2020 telephonic conference before Judge Acquaviva lasted for at/around 2 hours and that the discussion as to the subject no-contact provision was early-on in same, following which he ruled upon all the issues of his order including that as to defendant's contact with the child.

Please all with any questions,

Thank you,

John Reilly

Dear All,

I am available for conference tomorrow at 11:30 am via zoom. Please confirm same via reply e-mail.

In this regard, please see my attached correspondence e-filed this date as relates to defendant's request that hearing upon his pending motion to modify the conditions of pre-trial release be scheduled for the earliest possible date/time.

Thank you,

John Reilly

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

Subject: Richard Hone conference

From: Brandon Dejesus <brandon.dejesus@njcourts.gov>

Date: Tue, May 26, 2020 2:59 pm

To: "Ttoscano@co.ocean.nj.us" <Ttoscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Good Afternoon,

Judge Daniels is requesting a conference regarding the Hone matter. Could the parties please confirm their availability to conference the matter tomorrow at 11:30am.

Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, [P.J.Cr.](#)

Superior Court of New Jersey, Ocean Vicinage

120 Hooper Avenue, Courtroom 12

Toms River, N.J. 08754

Tel: 732-504-0700, Ext. 64226

Fax: 732-435-8426

E-mail: Brandon.dejesus@njcourts.gov

Khajezadeh, Dina

From: Brandon Dejesus <brandon.dejesus@njcourts.gov>
Sent: Wednesday, May 27, 2020 7:01 PM
To: Toscano, Taylor; 'john@johnreillylaw.com'
Cc: Wendel Daniels; Luisa Ojeda
Subject: R. Hone Motion to Modify Conditions of Release
Attachments: R. Hone Signed Scheduling Order 5-27-2020.pdf

Good Evening,

Please find attached the Scheduling Order regarding Mr. Hones Motion to Modify Conditions of Release. Please let me know if you have any additional questions or concerns.

Thank you for your patience. Stay safe!

Best,
Brandon

SUPERIOR COURT OF NEW JERSEY
OCEAN VICINAGE



CHAMBERS OF
HON. WENDEL E. DANIELS

OCEAN COUNTY COURT HOUSE
120 HOOPER AVENUE
TOMS RIVER NJ 08754-2191

May 27, 2019

Taylor Toscano
Assistant Prosecutor
Ocean County Prosecutor's Office
119 Hooper Avenue
P.O. Box 2191
Toms River, NJ 08754
Counsel for the State of New Jersey

John P. Riley Esq
Attorney at Law
One Hadley Avenue
P.O. Box 4748
Toms River, New Jersey 08754
Counsel for Defendant

Re: State v. Richard Hone; Brick Twp. Warrant No. 1506-W-2020-116;
O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Counsel:

On May 27th, 2020, this matter was before the court as a conference regarding defendant's emergent application to Modify his conditions of Release. This court heard the party's positions and has reviewed the party's subsequent submissions.

Counsel for Mr. Hone indicated that on April 9th, 2020 a hearing was held between Mr. Hone and Ms. [REDACTED] before Judge Gregory L. Aquaviva J.S.C, which lasted about two (2) hours. Thereafter Judge Aquaviva rendered a lengthy decision. The matter before Judge Aquaviva included multiple issues between the parties including parenting and custody issues. At the time of this hearing it is apparent that Judge Aquaviva was quite aware of Mr. Hone's parenting time. However, over Mr. Hone's objection, Judge Aquaviva granted Ms. [REDACTED] adjournment request stating, Mr. Hone failed to demonstrate how a brief adjournment by the Court was an abuse of discretion, where Ms. [REDACTED] provided a rational ground for that request. The Judge also stated that there was no irreparable harm to him and his child.

This court also reviewed the conflicting April 8th, 2020 order where Judge Mark P. Tarentino J.S.C ordered the defendant have no contact with both the victim and the defendant's child.

This Court in considering both Judge Tarentino's April 8th, 2020 order whereby the defendant should have no contact with his child [REDACTED] and Judge Aquaviva's lengthy hearing, this court will decide to address

the defendant's Motion to Modify Conditions of Release following the defendant's scheduled date before Judge Aquaviva. The Court will thus schedule Defendant Richard Hone's hearing for June 11th, 2020 at 9:00am.

Very truly yours,

s/Wendel E. Daniels
The Honorable Wendel E. Daniels, P.J.Cr.

Khajezadeh, Dina

From: Stuart K. Santiago <stuart@sksantiagolaw.com>
Sent: Friday, May 29, 2020 1:38 PM
To: Toscano, Taylor; Richard \\\(Dickie\\) Hone
Cc: Michelle Tierney; John@johnreillylaw.com
Subject: Re: [External]State vs. Richard Hone - (Docket No. OCN-20-000532)
Attachments: Hone, D - ltr.2 to Court.pdf; Hone, D - Emergent Notice of Motion to change venue.pdf; Hone, D - Certification of Richard Hone w exhibit.pdf; Hone, D - Proof of Service.pdf; Hone, D - proposed form of Order.docx

Ms. Toscano,

As per your request, attached is a copy of the Emergent Motion papers together with my letter to the Court dated 5.28.2020.

Regards,

Stuart K. Santiago
Law Office of Stuart K. Santiago, LLC
307 Grove Street
P.O. Box 1042
Rahway, NJ 07065
(732) 381-3000
Fax: (732) 381-3002
Email: stuart@sksantiagolaw.com

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On Fri, May 29, 2020 at 1:23 PM Toscano, Taylor <TToscano@co.ocean.nj.us> wrote:

Mr. Santiago,

Can you please provide me with a copy of that motion? I do not see it in the eCourts case jacket and did not get notice.

Thank you,

Taylor Toscano

Ocean County Prosecutor's Office

From: Stuart K. Santiago <stuart@sksantiagolaw.com>
Sent: Friday, May 29, 2020 1:17 PM
To: Michelle Tierney <Michelle.Tierney@njcourts.gov>
Cc: rhone904@aol.com; John@johnreillylaw.com; Toscano, Taylor <TToscano@co.ocean.nj.us>
Subject: Re: [External]State vs. Richard Hone - (Docket No. OCN-20-000532)

Ms. Tierney,

Thank you for your response. Please have the law clerk contact me by 3:00 p.m. today. I can be reached at my office (732) 381-3000 or cell [REDACTED]

Respectfully,

Stuart K. Santiago

Law Office of Stuart K. Santiago, LLC

307 Grove Street

P.O. Box 1042

Rahway, NJ 07065

(732) 381-3000

Fax: (732) 381-3002

Email: stuart@sksantiagolaw.com

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On Fri, May 29, 2020 at 1:09 PM Michelle Tierney <Michelle.Tierney@njcourts.gov> wrote:

Good Afternoon Mr. Santiago,

You will be contacted by a Judge's law clerk to schedule the matter if a Judge deems the matter emergent.

Thank you.

Michelle L. Tierney

Criminal Division Manager

Superior Court of NJ-Ocean Vicinage

732-504-0700 x64330 (voice)

732-288-7606 (fax)

From: Stuart K. Santiago <stuart@sksantiagolaw.com>

Sent: Friday, May 29, 2020 12:31 PM

To: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Cc: rhone904@aol.com

Subject: [External]State vs. Richard Hone - (Docket No. OCN-20-000532)

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Ms. Tierney,

On May, 28, 2020, I filed an emergent motion to change venue on behalf of defendant, Richard Hone, at OCNEmergent, Mailbox@njcourts.gov. I also called your office and left a voicemail. Please call me upon receipt of this email to confirm your receipt of same and to schedule the Emergent hearing. for today or Monday, June 1, 2020.

You can reach me at my office (732) 381-3000 or cell [REDACTED] or you may email me at stuart@sksantiagolaw.com.

Thank you for your kind courtesy and prompt attention to this matter.

Respectfully,

Stuart K. Santiago

Law Office of Stuart K. Santiago, LLC

307 Grove Street

P.O. Box 1042

Rahway, NJ 07065

(732) 381-3000

Fax: (732) 381-3002

Email: stuart@sksantiagolaw.com

CONFIDENTIALITY NOTE

The information contained in this email message is legally privileged and confidential information intended only for the use of the individual or entity named above. If you, the reader of this message, are not the intended recipient, you are hereby notified that you should not further disseminate, distribute or copy this email message, but delete same immediately. In addition, if you have received this email message in error, please immediately notify me by telephone at (732) 381-3000 or email: stuart@sksantiagolaw.com. Thank you.

LAW OFFICE OF STUART K. SANTIAGO, LLC

307 Grove Street

P.O. Box 1042

Rahway, NJ 07065

732.381.3000

Fax: 732.381.3002

Email: stuart@sksantiagolaw.com

May 28, 2020

Via ocnEmergent.Mailbox@njcourts.com

Michelle Tierney, Criminal Division Manager

Superior Court of New Jersey

Ocean County

Justice Complex

120 Hooper Avenue, Room 240

P.O. Box 2191

Toms River, NJ 08754

Re: State vs. Richard Hone

Case No.: OCN-20-000532

Dear Ms. Tierney:

I am filing this Emergent Motion to Change Venue as a Friend of the Court and on behalf of my friend, Richard Hone, who currently has a modified "No Contact Order" against him dated May 22, 2020 amending a prior Order dated February 9, 2016. The Order as modified continues the no contact provision subject to certain exceptions, namely, allowing Mr. Hone to contact "representatives of the Court for purposes of supervision and any other reasons as permitted and instructed by court staff, probation staff and other representatives of the Superior Court of New Jersey." The modified Order further states that "defendant shall however continue to be restrained from engaging in any harassing communications but shall be permitted to communicate with and contact court staff as instructed by court staff and under the conditions imposed by court staff, probation staff and others having supervision responsibilities for defendant."

The modified Order of May 22, 2020 is worded very generally and does not specifically address the issue of whether Mr. Hone is permitted, as an exception to the no contact Order of February 9, 2016, to file an emergent motion with the Court. Based on the spirit of the modified Order, it would seem to allow Mr. Hone to file motion papers with the Court, but not to engage in harassing conduct with the Court staff, probation staff, or other representatives of the Superior Court.

Rather than risk violating the no contact provision of the modified Order, I am filing Mr. Hone's emergent motion on his behalf and as a friend of the Court, as a precautionary measure and to show good faith on his part. Mr. Hone, however, will argue the emergent motion pro se.

Mr. Hone hereby notifies the Court that although he is represented by counsel, John Reilly, Esq., it is his decision to proceed pro se on this emergent motion to change venue with Mr. Reilly acting as his assistant or second chair.

If you have any questions, you may reach me at my office number (732) 381-3000 or cell phone [REDACTED]

Thank you for your kind attention to the above.

Respectfully,

A handwritten signature in black ink, appearing to read 'S. K. Santiago', with a long horizontal flourish extending to the right.

STUART K. SANTIAGO
(Attorney ID No. 009431987)

Richard Hone, Ph# 347-949-0286
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
CRIMINAL DIVISION
Docket No. 2000-532

V.

CRIMINAL ACTION
Notice of Motion for
**EMERGENT HEARING TO CHANGE VENUE TO
MONMOUTH COUNTY Immediately
and Represent myself Pro-Se**

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

PLEASE TAKE NOTICE that on **May 29, 2020 at 9:00am** in the forenoon or as soon thereafter **(and no later than June 3, 2020)** as may be heard, the defendant, Richard Hone, will before the Ocean County criminal court for an Order **Granting my Emergent Motion for an Order to Change Venue Immediately and allow Mr. Hone to represent himself Pro-Se.**

PRELIMINARY STATEMENT

The United States Supreme Court made it crystal clear in **Erickson v. Pardus 551 U.S. 89, 94** that a **"document filed pro-se must be liberally construed by the court"** and a **"pro-se complaint, however inartfully pleaded, must be held to a less stringent standard than formal pleadings drafted by attorneys"**.

I am citing State v. Williams, 93 NJ 39, 49 (1983), which allows for Emergent relief in criminal cases.

The immense Civil Rights violations suffered by plaintiff Richard Hone and his now 5-year-old little girl [REDACTED] will end today. No one is going to continue to prevent this from happening. Not the judge, not the prosecutor, no one. Every legal remedy available to us will be exercised should this abomination and miscarriage of justice continue one minute more.

Richard Hone is relying on the above case in filing this motion and the facts contained herein.

A proposed form of Order is attached.

Richard Hone **e-signature**

5-28-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# 347-949-0286
24 Johnston Ave.
Brick, NJ 08724


STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
CRIMINAL DIVISION
Docket No. 2000-532

V.

CRIMINAL ACTION
Certification in Support of Notice of Motion for
EMERGENT HEARING TO CHANGE VENUE TO
MONMOUTH COUNTY

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

1. I am citing State v. Williams, 93 NJ 39, 49 (1983), which allows for Emergent relief in criminal cases, so this **MUST** be heard and ruled on today.
2. I am requesting a hearing TODAY, or in ONE DAY.
3. I want to represent myself Pro-Se Immediately with Mr. Reilly acting as my assistant or second chair.
4. I HAVE FILED A 50 MILLION DOLLAR LAWSUIT AGAINST JUDGE DANIELS ON 5-28-20 FOR VIOLATING OUR CIVIL RIGHTS TO DUE PROCESS and a Fair Hearing, plus Official Misconduct, conspiracy with the prosecutor, 14th Amendment violations, and other relevant causes of action. (Attached)
5. That makes it impossible to get a fair hearing in the criminal division, and a Change of Venue is proper, as this is a sign of more retaliation against me for my outspoken and correct views of the corruption in Ocean County
6. I also have 3 other 50 Million Dollar Civil Rights lawsuits against multiple judges in Ocean County that are active. They are HONE V. LYNCH-FORD, OC PROSECUTORS OFFICE, ET AL BUR. L-692-20, HONE V. WELLERSON BUR L-745-20 and HONE V. WATERS BUR. L-689-20, which makes it impossible to get a Fair Hearing Guaranteed by the 14th Amendment of the U.S. Constitution.

7. In the past 4 months alone, Judge Lynch-Ford has Sua Sponte changed Venue on ALL these lawsuits AND the criminal case at hand here. This PROVES I cannot get a Fair Hearing here.
8. I have a Family Matter scheduled for June 10 2020 that will GRANT even more visits than I already have, that this no-contact contact continues to block, that there is NO opposition from the prosecutor to lift the No-Contact provision after June 10th, so the IRREPARABLE HARM ELEMENTS IF VENUE IS NOT CHANGED IMMEDIATELY ARE SUFFICIENT TO WARRANT IMMEDIATE CHANGE OF VENUE.

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone e-signature

5-28-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

RICHARD HONE
Plaintiff, Pro-Se

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
LAW DIVISION
Docket No. _____

V.

CIVIL ACTION
Complaint

WENDEL DANIELS,
JOHN and JANE DOE(S) 1-75
Defendants

Plaintiff, Richard Hone, residing at above address, 24 Johnston Ave., Brick NJ 08724, County of Ocean, State of New Jersey, complaining of defendants, states as follows:

Preliminary Statement

I am applying Erickson v. Pardus 551 US 89, 94 which states that a "document filed pro-se must be liberally construed by the court" and a "pro-se complaint, however inartfully pleaded, must be held to a less stringent standard than formal pleadings drafted by attorneys".

The defendants are being sued in their Individual Capacity under Hafer v. Melo 502 US 21 and therefore can be sued under the 1964 Civil Rights Act, as well as the Immunity Exception, which states in NJSA 59:3-14 Public Employees Immunity Exception: a. Nothing in this act shall exonerate a public employee from liability if it is established that his conduct was outside the scope of his employment or constituted a crime, actual fraud, actual malice or willful misconduct.

b. Nothing in this act shall exonerate a public employee from the full measure of recovery applicable to a person in the private sector if it is established that his conduct was outside the scope of his employment or constituted a crime, actual fraud, actual malice or willful misconduct. L.1972, c. 45, s. 59:3-14.

Plaintiff alleges the following egregious Civil Rights violations and other crimes, including Official Misconduct on or about 5-20-20 to 5-28-20 and ongoing;

1. Purposely, maliciously, with actual malice and willful misconduct violated plaintiff and his 5-year-old daughter [REDACTED] Civil Rights to Due Process by conspiring with prosecutor Taylor Toscano (a co-conspirator but not a defendant here yet) and multiple others by refusing to hear (until after reconsideration and the new hearing, which he knows Ms. [REDACTED] the "victim" here, will NEVER win) plaintiff's request to lift the pathetic no-contact order that would allow visits, Skype visits, and other relief Ordered by the Family Court to commence immediately pursuant to the April 9, 2020 Family Court Order.

2. Even though "judges" are supposed to "By Their OATH" be independent and have integrity this lacky coward is so useless and pathetic he did what every Corrupt "judge" does, CHA (cover his ass), which is in total contravention to his Oath. I KNEW from reading multiple briefs of his that he was a Serial Violator of People's Civil Rights I had no clue he would try it with me, given my extensive history as a Civil Rights activist.
3. Defendant violated Mr. Hone and his 5-year-old daughter [REDACTED] Civil Rights by violating **N.J.S.A. 9:2-4**, and his acts prevented my child from having her Father in her Life NOW, which is what that LAW says he MUST DO.
4. Committed the crime of Official Misconduct by that action alone.
5. Defendant purposely and maliciously discriminated against me because I'm White.
6. Plaintiff is relying on **Pulliam v. Allen 466 U.S. 522 (1984)** which allows Civil Rights lawsuit under USCS Title 43 1983 and the same in the State Courts

The defendants reside/work at 119 Hooper Ave. Toms River, NJ 08754, In the county of Ocean, State of New Jersey.

1. Plaintiff is entitled to relief from defendant under the above facts.
3. The harm that occurred as a result of defendant's acts include:
 1. Plaintiff has suffered severe emotional harm from the actions of defendant that plaintiff may never recover from.
 2. Plaintiff has again had his civil rights violated by more Ocean County employees and has suffered immense emotional damage that can never be made whole by money alone. I'm seeking the removal of this judge and the prosecutors so they can't hurt anyone else by their corrupt actions and acts.
 3. Plaintiff has been shamed and embarrassed this egregious act and fears he will never have Justice for him and his daughter so long as the courts are the actual violators of his and [REDACTED] Civil Rights.
 4. Plaintiff fears for his safety and will be forced to move.
 5. Plaintiff seeks an \$50,000,000.00 million dollars in damages, both compensatory and punitive damages citing **Smith v. Wade, 461 U.S. 30, 103 S. Ct. 1625, 75 L. Ed. 2d 632 [1983]**

Wherefore, plaintiff requests judgment against defendant for \$50,000,000.00 in damages, together with attorney's fees, cost of suit, and any other relief as the court may deem proper.

Richard Hone e-signature

5-28-20

Richard Hone, Plaintiff, Pro-Se

Date:

CERTIFICATION OF NO OTHER ACTIONS

I certify that the dispute about which I am suing is not the subject of any other action pending in any other court or a pending proceeding to the best of my knowledge and belief except for the Family Court matters, which only effect the possessions inside storage, not the storage facility on which the lien is placed. Also, to the best of my knowledge or belief. Further, other than the parties set forth in this complaint, I know of no other parties at this point be made a party to this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the court an amended certification if there is a change in the facts stated in this original certification.

Richard Hone e-signature

5-28-20

Richard Hone, Pro-Se

Date:

JURY DEMAND:

The plaintiff demands trial by jury on all triable issues of this complaint, pursuant to New Jersey Court Rules 1:8-2(b) and 4:35-1(a).

Richard Hone e-signature

5-28-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# 347-949-0286
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
CRIMINAL DIVISION
Docket No. **2000-532**

V.

CRIMINAL ACTION
Notice of Motion for
PROOF OF SERVICE

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

I, Richard Hone, hereby certify that an original and one copy of the Motion for Emergent Hearing to Represent myself, and Change Venue to Monmouth County, certification and letter brief in support of motion, and proposed Order were emailed to **OcnEmergent.mailbox@njcourts.gov**

5-28-20

Ocean Criminal Court
120 Hooper Ave.
Toms River, NJ 08754

Date served by email

Richard Hone **e-signature**

5-28-20

Richard Hone, Pro-Se

Date:

Richard Hone, Ph# [REDACTED]
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
CRIMINAL DIVISION
Docket No. 2000-532

V.

CRIMINAL ACTION
Notice of Motion for
ORDER

RICHARD HONE
Defendant, Pro-Se

Oral Argument requested telephonically

THIS MATTER having come before the court upon motion of Richard Hone and after having heard and after having considered the pleadings filed and Oral Argument TELEPHONICALLY and for good cause appearing to exist:

1. Allow Mr. Hone to represent himself Pro-Se IS GRANTED.
2. The hearing Change Venue to Monmouth County of the February 21, 2020 order IS GRANTED and the no-contact provision removed IS GRANTED.
3. Any other relief the court deems just and fair (like an apology to my daughter [REDACTED]) IS GRANTED.
- 4.
- 5.

IT IS HEREBY ORDERED, on this _____ day of May, 2020 that defendant's motion IS HEREBY GRANTED.

J.S.C.

Khajezadeh, Dina

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, May 29, 2020 7:35 PM
To: Stuart K. Santiago
Subject: RE: State vs. Richard Hone = (Docket No. OCN-20-000532)

Mr. Santiago,

I reviewed your attachments and most recent letter. Respectfully, if you are merely submitting paperwork as a "friend of the Court" please do not include any argument in your correspondence. If you wish to include an argument, I would insist that you file a notice of appearance and represent Mr. Hone.

Thank you,
Taylor



Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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FOR OFFICIAL USE ONLY - LAW ENFORCEMENT SENSITIVE

From: Stuart K. Santiago <stuart@sksantiagolaw.com>
Sent: Friday, May 29, 2020 4:35 PM
To: brittany.barbet@njcourts.gov
Cc: Michelle Tierney <michelle.tierney@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>; John@johnreillylaw.com; Richard (Dickie) Hone <Rhoney904@aol.com>
Subject: State vs. Richard Hone = (Docket No. OCN-20-000532)

Dear Ms. Barbet,

Attached please see my letter to you regarding defendant Richard Hone and his request for a pro se emergent hearing to transfer the case to another county. Please present this letter to Judge Lynch Ford.

Thank you kindly,

Respectfully,

Stuart K. Santiago
Law Office of Stuart K. Santiago, LLC
307 Grove Street
P.O. Box 1042

Rahway, NJ 07065
(732) 381-3000
Fax: (732) 381-3002
Email: stuart@sksantiagolaw.com

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LAW OFFICE OF STUART K. SANTIAGO, LLC

307 Grove Street
P.O. Box 1042
Rahway, NJ 07065

732.381.3000

Fax: 732.381.3002

Email: stuart@sksantiagolaw.com

May 29, 2020

Via email: brittanybarbet@njcourts.com

Honorable Marlene Lynch Ford, A.J.S.C.
Ocean County Courthouse
118 Washington Street, Courtroom 1
P.O.Box 2191
Toms River, NJ 08754

Attn.: Brittany Barbet, Law clerk

Re: State vs. Richard Hone
Case No.: OCN-20-000532

Dear Ms. Barbet:

On May 28, 2020, I filed an Emergent Motion to Change Venue as a Friend of the Court and on behalf of my friend, Richard Hone, who currently has a modified "No Contact Order" against him dated May 22, 2020 amending a prior Order dated February 9, 2016. The Order as modified continues the no contact provision subject to certain exceptions, namely, allowing Mr. Hone to contact "representatives of the Court for purposes of supervision and any other reasons as permitted and instructed by court staff, probation staff and other representatives of the Superior Court of New Jersey." The modified Order further states that "defendant shall however continue to be restrained from engaging in any harassing communications but shall be permitted to communicate with and contact court staff as instructed by court staff and under the conditions imposed by court staff, probation staff and others having supervision responsibilities for defendant."

The modified Order of May 22, 2020 is worded very generally and does not specifically address the issue of whether Mr. Hone is permitted, as an exception to the no contact Order of February 9, 2016, to file an emergent motion with the Court. Based on the spirit of the modified Order, it would seem to allow Mr. Hone to file motion papers with the Court, but not to engage in harassing conduct with the Court staff, probation staff, or other representatives of the Superior Court.

Rather than risk violating the no contact provision of the modified Order, I filed Mr. Hone's emergent motion on his behalf and as a friend of the Court, as a precautionary measure and to show good faith on his part. Mr. Hone, however, will argue the emergent motion pro se.

Although Mr. Hone is represented by counsel, John Reilly, Esq., it is his decision to proceed pro se on this emergent motion to change venue with Mr. Reilly acting as his assistant or second chair.

As a friend of the Court, and in the interests of justice, conserving judicial resources and expediting this matter, I would suggest that Judge Lynch Ford either further modify the Order of May 22, 2020 to allow Mr. Hone to proceed with filing motions with the Court, or in the alternative, transferring this case *sua sponte*, as, it is my understanding, she has done in the past on three or four previous occasions based on conflict of interest issues, particularly the matters of Hone vs. Lynch-Ford, Ocean county Prosecutor's Office, et al., BUR-L-692-20, Hone vs. Wellerson, Docket No. BUR-L-745-20, and Hone vs. Waters, Docket BUR-L-689-20.

If you have any questions, you may reach me at my office number (732) 381-3000 or cell phone [REDACTED]

Thank you for your kind attention to the above.

Respectfully,



STUART K. SANTIAGO
(Attorney ID No. 009431987)

c: Richard Hone (via email)
 John Reilly, Esq. (via email)
 Taylor Toscano, A.P (via email)

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

Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Date: Sat, June 06, 2020 12:33 pm

To: "John@johnreillylaw.com" <John@johnreillylaw.com>, "

TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>

Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane

<agustina.lane@njcourts.gov>, Jennifer Hausmann

<jennifer.hausmann@njcourts.gov>

Good Afternoon:

On behalf of Judge Ford—

" Please be advised that Judge Ford as the vicinage Assignment Judge will hear both the motion to transfer venue, the motion to modify the terms of Mr. Hone's release conditions and whatever other matters are deemed appropriate by the Court. Although Mr. Hone has sued numerous members of the judiciary and staff throughout the state of NJ, Judge Ford has determined as a matter of necessity that she will hear these motions. Any objections to Judge Ford considering these motions shall be heard at the time and date set for the hearing. "

Marlene Lynch Ford, A.J.S.C. Ocean

Michelle L. Tierney
Criminal Division Manager
Ocean Vicinage
Superior Court of NJ
732.504.0700 x64330

From: John@johnreillylaw.com <John@johnreillylaw.com>

Sent: Friday, June 5, 2020 5:19 PM

To: Michelle Tierney <Michelle.Tierney@njcourts.gov>;

TToscano@co.ocean.nj.us

Cc: Marlene Ford <marlene.ford@njcourts.gov>; Agustina Lane

<agustina.lane@njcourts.gov>; Jennifer Hausmann

<jennifer.hausmann@njcourts.gov>

Subject: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear All,

Please see my attached letter to Judge Den-Uyl filed via e-courts and served via email earlier this date. For the reasons given, please **simply and clearly advise** that the hearing upon defendant's motion to modify the conditions of his release scheduled for the 11th by Judge Daniels so as to first allow Monmouth County Family Part Judge Acquaviva to rule upon parenting issues/contact with Mr. Hone's daughter at his hearing of the 10th **remains scheduled for the 11th.**

As to the 9th, I am advised that my motion to vacate search warrants and suppress, brought in the matter of State v. Brooks, Case No 19003124, will proceed to hearing on 6/9/2020 before Judge Torregrossa-O'Connor, so if the whichever judge is to hear said motion to modify, and I would suggest Judge Den Uyl as it is my understanding that Mr. Hone has filed a lawsuit against Judge Lynch Ford, wishes that we conference this matter before said hearing of 11th, I would ask that it be scheduled for the afternoon of the 9th.

Thank you,

John Reilly

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

Subject: Schedule for Tuesday, 6/9/2020 before Judge Ford

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Date: Fri, June 05, 2020 4:29 pm

To: "John@johnreillylaw.com" <John@johnreillylaw.com>, "

TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>

Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane

<agustina.lane@njcourts.gov>, Jennifer Hausmann

<jennifer.hausmann@njcourts.gov>

Good Afternoon,

Judge Ford has advised that she will hear the current pending motions related to Mr. Hone's Ocean Criminal case on Tuesday, June 9, 2020 at 11 a.m. via ZOOM.

Can I please ask Mr. Reilly to advise his client of same? Judge Ford will hear Mr. Hone if he wants to be heard on the matter of the change of venue. She will also hear the matter regarding pretrial release conditions and the matter regarding the no contact order as it relates to staff and Judges of the Ocean Vicinage.

Can you both please respond to this email with the email addresses you would like your ZOOM invites to be sent?

Mr. Reilly, can you please also advise of an email for your client and he will receive an invite as well? Or, we can call him on a telephone number to participate via phone if that is preferred.

Responding only to Judge Ford will not allow the remote event to be set up, so please be sure to respond with the requested information to all on this email.

Thank you very much and have a good weekend.

Michelle L. Tierney
Criminal Division Manager
Superior Court of NJ-Ocean Vicinage
732-504-0700 x64330 (voice)
732-288-7606 (fax)

Khajezadeh, Dina

From: Toscano, Taylor <TToscano@co.ocean.nj.us>
Sent: Friday, June 5, 2020 12:04 PM
To: John@johnreillylaw.com; Michelle Tierney
Cc: Mary Moore; Jennifer Hausmann; Agustina Lane
Subject: RE: Hone Venue Transfer motion
Attachments: Den Uyl Appeal letter.pdf

Good morning again,

Please see attached letter.

Thank you,

Taylor



Taylor Toscano
Assistant Prosecutor
119 Hooper Avenue P.O. Box 2191
Toms River, NJ 08754-2191
Phone: (732) 929-2027 Ext. 2741
Email: ttoscano@co.ocean.nj.us

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From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Friday, June 5, 2020 10:45 AM
To: Toscano, Taylor <TToscano@co.ocean.nj.us>; Michelle Tierney <Michelle.Tierney@njcourts.gov>
Cc: Mary Moore <Mary.Moore1@njcourts.gov>; Jennifer Hausmann <jennifer.hausmann@njcourts.gov>; Agustina Lane <agustina.lane@njcourts.gov>
Subject: RE: Hone Venue Transfer motion

Dear All,

Is Judge Den Uyl the newly assigned Judge as referred to in the correspondences of yesterday? If so, once again, please understand how this matter has evolved. I am Mr. Hone's attorney of record. The only motion which I have pursued to date is defendant's motion, one that was to be decided by Judge Daniels this coming Thursday, the 11th, and one that, I submit, must not be delayed. And that is one as had been filed by his attorney of record in Burlington County for modification of defendant's release conditions, particularly as would allow that his contact with his daughter be determined by and in keeping with the decision of Monmouth County Family Part Judge Acquaviva pursuant to the hearing before that Court scheduled for this coming Wednesday, the 10th. I ask that all concerned go on e-courts and review the respective letter memorandums, etc. filed in this regard. In the meantime, for purposes of clarity, I attach hereto copies of my letter memorandums of 5/26/20 and 5/27/20, the proposed form of Order for same, Judge Daniels scheduling Order of 5/27/20 and my letter of yesterday to Judge Daniels.

As discussed in my letter of yesterday, the above referred to motion for change of Venue is that as had been filed by the defendant, and on which he seeks to proceed pro-se, and thus one as would first require that the court first conduct a Faretta hearing.

The confusion that has continuously marked this matter, although understandable, will not be overcome and will likely only continue to persist unless and until the Judge now assigned this matter gain the benefit of a conference with the attorneys of record as requested in my letter of yesterday.

Please schedule such for today for participation in by myself, Ms. Toscano and, assuming he be the assigned Judge for this case, Judge Den Uyl. In this regard, and working under this assumption, ***I ask that it be immediately confirmed which, hopefully one among those listed above, e-mail address may be employed by the attorneys of record to communicate directly with Judge Den Uyl.***

Thank you,

John Reilly

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

Subject: RE: Hone Venue Transfer motion

From: "Toscano, Taylor" <TToscano@co.ocean.nj.us>

Date: Fri, June 05, 2020 10:03 am

To: Michelle Tierney <Michelle.Tierney@njcourts.gov>, "John@johnreillylaw.com" <John@johnreillylaw.com>

Cc: Mary Moore <Mary.Moore1@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>

Good morning,

I'm available.

Thank you!

Taylor

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Sent: Friday, June 5, 2020 10:00 AM

To: John@johnreillylaw.com; Toscano, Taylor <TToscano@co.ocean.nj.us>

Cc: Mary Moore <Mary.Moore1@njcourts.gov>; Jennifer Hausmann <jennifer.hausmann@njcourts.gov>; Agustina Lane <agustina.lane@njcourts.gov>

Subject: Hone Venue Transfer motion

Good Morning,

Judge Den Uyl would like to schedule to hear the Venue Transfer motion for P/G# 20000532 on Tuesday, June 9, 2020 at 10:00 a.m.

Once your availability is confirmed we will advise which remote hearing platform will be used (i.e. telephonically or via ZOOM).

Would you please advise of your availability? Thank you very much.

Michelle L. Tierney
Criminal Division Manager
Superior Court of NJ-Ocean Vicinage
732-504-0700 x64330 (voice)
732-288-7606 (fax)

BRADLEY D. BILLHIMER
Ocean County Prosecutor

VINCENT A. PETRECCA
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

June 5, 2020

The Honorable James Den Uyl, J.S.C.
100 Hooper Avenue, Courtroom 3
Toms River, NJ 08753
Via email to courtstaff

Re: State v. Richard Hone (PG 20000532)

Judge Den Uyl,

As Your Honor is aware, the defendant has filed an application to transfer venue in this matter to Monmouth County which is now scheduled for June 9, 2020. What the Court may not be aware of is that Mr. Hone, through his defense attorney John Reilly, filed a motion to appeal the Honorable Terrance R. Cook's May 8, 2020 Order on June 1, 2020. It is my understanding that all matters should be stayed pending that appeal, pursuant to R. 2:9-1, which reads:

- (a) Control Prior to Appellate Disposition. Except as otherwise provided by R. 2:9- 3, 2:9-4 (bail), 2:9-5 (stay pending appeal), 2:9-7, 2:9-13(f), and 3:21-10(d), the supervision and control of the proceedings on appeal or certification shall be in the appellate court from the time the appeal is taken or the notice of petition for certification filed. The trial court, however, shall have continuing jurisdiction to enforce judgments and orders pursuant to R. 1:10 and as otherwise provided.

As such, all issues in this case are subject to the control of the Appellate Division at this time. I would respectfully ask that this matter be adjourned pending disposition of the appeal.

Sincerely,

/s/ Taylor E. Toscano
Attorney ID 153792015

CC: John Reilly, Esq. via email

Khajezadeh, Dina

From: John@johnreillylaw.com
Sent: Friday, June 5, 2020 3:45 PM
To: mary.moore@njcourts.gov; jennifer.hausmann@njcourts.gov; Toscano, Taylor
Subject: Richard Hone, Case No. 20000532
Attachments: Hone adv. State, Case No. 20000532, 6-5-2020 Judge J. Den Uyl Letter.pdf

Dear All,

My apologies please see the attached letter to Judge Den Uyl e-filed this date as relates to the above subject.

Thank you,

John Reilly

John P. Reilly, Esq.
One Hadley Avenue
P.O. Box 4748
Toms River, NJ 08754
Tele: (732) 244-5100
Fax: (732) 244-0420
E-mail: john@johnreillylaw.com

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John P. Reilly

Attorney at Law

One Hadley Avenue, P.O. Box 4748

Toms River, NJ 08754

Telephone: (732) 244-5100 • Facsimile: (732) 244-0420

e-mail: john@johnreillylaw.com

June 5, 2020

Hon. James Den Uyl, J.S.C.
Superior Court of New Jersey
P.O. Box 2191
Toms River, New Jersey 08754

Via E-Courts & E-mailed to Mary.Moore1@njcourts.gov &
Jennifer.Hausmann@njcourts.gov

Re: State v. Richard Hone
Brick Twp. Complaint/Warrant No. 1506-W-2020-116
O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Judge Den Uyl:

I represent the defendant, Mr. Richard Hone (Mr. Hone), for the above matter, which, as best I know, currently remains scheduled for continuation of hearing upon Mr. Hone's Motion to Modify the Terms of his Release on this coming Thursday, 6/11/2020, at 9:00 a.m., and which I am advised had been tentatively scheduled for hearing before Your Honor upon Mr. Hone's Notice of Motion for Change of Venue as filed by Mr. Hone on 5/28/2020 on 6/9/2020 at 10:00 a.m. In this regard, attached hereto, please find copies of the following:

- Order of the Appellate Division confirming Mr. Hone's Withdrawal of his Motion for Leave to Appeal. Therefore, and although Ms. Toscano cites the Rule as relates to the automatic stay as applies to an appeal rather than the "as must be applied for" stay as governs a Motion for Leave to Appeal, the result is the same, and said motion has now been rendered a non-issue. Therefore, said motion no longer stands as a potential impediment to proceeding with hearing upon defendant's Motion to Modify the Terms of his Release on this coming Thursday, 6/11/2020, at 9:00 a.m.
- Mr. Hone's Letter of this date, wherein he requests that I, as attorney of record on the above matter, on his behalf, withdraw his "pro-se" (so-called even though a Faretta hearing had never been conducted as to same) motion of 5/28/2020 for Change of Venue. Therefore, said motion likewise no longer stands as a potential impediment to proceeding with defendant's Motion to Modify the Terms of his Release on this coming Thursday, 6/11/2020, at 9:00 a.m.

Therefore, it is requested that Your Honor please confirm that hearing upon defendant's Motion to Modify the Terms of his Release will proceed as scheduled on this coming Thursday, 6/11/2020, at 9:00 a.m.

Also, in that need for said hearing proposed for 6/9/2020 has been obviated, I ask that Your Honor advise as to whether or not Your Honor, Ms. Toscano and myself may have a conference upon the above matter at said date/time, wherein any questions or concerns of the Court may be discussed.

Please give the above Your Honor's earliest attention.

Thank you for your kind attention.

Respectfully yours,

S/John P. Reilly

By:

JOHN P. REILLY, ESQ.
Attorney for Defendant,
Richard Hone

JPR/afr
Enclosures

cc (via e-courts & e-mail): Ms. Taylor Toscano, A.P.

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. AM-000521-19 T3

STATE OF NEW JERSEY
V.
RICHARD W. HONE

ORDER DISMISSING MOTION
FOR LEAVE TO APPEAL

This matter being opened to the court on its own motion and
it appearing that appellant has requested that the motion for
leave to appeal be withdrawn;

IT IS HEREBY ORDERED that the above motion for leave to
appeal is dismissed.

WITNESS, the Honorable Carmen Messano, Presiding Judge for
Administration, at Trenton, this 5th day of June, 2020

s/JOSEPH H. ORLANDO
JOSEPH H. ORLANDO
CLERK OF THE APPELLATE DIVISION

JC

20-000532
20-000607 OCEAN

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Subject: Re: HONE withdraw Change of Venue and the Notice of Appeal] (Privileged Communication and Confidential)
From: RICHARD HONE <rhone904@aol.com>
Date: Fri, Jun 05, 2020 1:56 pm
To: "John@johnreillylaw.com" <John@johnreillylaw.com>, RICHARD HONE <rhone904@aol.com>

I authorize John Reilly to file the within correspondence with the court.

Richard Hone

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

To: RICHARD HONE <rhone904@aol.com>
Sent: Fri, Jun 5, 2020 1:52 pm
Subject: [FWD: HONE withdraw Change of Venue and the Notice of Appeal] (Privileged Communication and Confidential)

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

Subject: HONE withdraw Change of Venue and the Notice of Appeal
From: RICHARD HONE <rhone904@aol.com>
Date: Fri, June 05, 2020 1:44 pm
To: "John@johnreillylaw.com" <John@johnreillylaw.com>, RICHARD HONE <rhone904@aol.com>

John,

This letter shall serve as my permission to withdraw the Change of Venue and request to proceed as Pro-Se filed on or about May 28, 2020 on my behalf as my Attorney of Record in this matter docket 2000-532.

You also have my permission to Withdraw the Notice of Appeal filed by Attorney Reilly on June 1, 2020.

Thank you,

Richard Hone

Khajezadeh, Dina

From: John@johnreillylaw.com
Sent: Monday, June 8, 2020 4:40 PM
To: Michelle Tierney; Toscano, Taylor
Cc: Marlene Ford; Agustina Lane; Jennifer Hausmann
Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford, Case No. 20000532
Attachments: Richard Hone adv. State, Case No. 2000532, 6-8-20 Judge Ford Letter.pdf

Dear All,

Please find my attached letter e-filed this date as relates to tomorrow's hearings. In this regard, please invite/join me to same at my e-mail address of john@johnreillylaw.com and join Mr. Hone to same via his telephone number of [REDACTED]

Thank you,

John Reilly

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

Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford, Case No. 20000532

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Date: Mon, June 08, 2020 11:51 am

To: "John@johnreillylaw.com" <John@johnreillylaw.com>, "

"TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>

Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>

Good Morning,

Judge Ford will hear any and all motions that remain pending for the above mentioned case on **Tuesday, June 9, 2020 at 1:30p.m.**

In addition, if Mr. Hone wants to be heard regarding Judge Ford's order related to restraints of Mr. Hone's contact with Ocean Vicinage staff and Judges, that can also be addressed at that time.

Please note that Judge Daniels will not be hearing any motions related to this case and any events regarding this case, scheduled before Judge Daniels, are cancelled. Unless otherwise scheduled by Judge Ford, there will be no Ocean Vicinage event related to this case on June 11, 2020.

Please respond with email addresses you would like the ZOOM invitations to be sent, including one for Mr. Hone, so he may attend by ZOOM.

Thank you.

Michelle L. Tierney
Criminal Division Manager

Ocean Vicinage
Superior Court of NJ
732.504.0700 x64330

From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Saturday, June 6, 2020 3:56 PM
To: Michelle Tierney <Michelle.Tierney@njcourts.gov>; TToscano@co.ocean.nj.us
Cc: Marlene Ford <marlene.ford@njcourts.gov>; Agustina Lane
<agustina.lane@njcourts.gov>; Jennifer Hausmann
<jennifer.hausmann@njcourts.gov>
Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford,
Case No. 20000532

Dear All,

With reference to the below e-mail of this date as well as mine of Friday, and in hope of gaining some sense of informed clarity upon this matter, please note:

The referred to filed-as "pro-se" motion for change of venue **has been withdrawn** and no longer remains is issue.

Defendant's motion for leave to appeal **has been withdrawn** and no longer presents reason for delay of hearing upon defendant's s motion for modification of conditions of his release as currently scheduled for 6/11/2020, at 9:00 a.m.

I submit, for the reasons set forth in Judge Daniels's scheduling Order of 5/27/2020, that it be both logical and appropriate that hearing upon the only motion for hearing by Judge Ford, i.e. defendant's motion to modify the conditions of his release as would allow for his contact with his daughter, proceed as scheduled on 6/11/2020, at 9:00 a.m., i.e. following the hearing upon parenting issues/including contact as will proceed before Monmouth County Family Court Judge Acquaviva on June 10, 2020.

I will of course appear as attorney and Mr. Hone as the defendant to any hearing as scheduled by the Court under the above Case No. 20000532, it being the only matter for which I represent Mr. Hone as attorney of record.

I cannot appear before Judge Ford on the morning of Tuesday, 6/9/2020, as I am required to appear before Monmouth County Judge Torregrossa-O'Connor upon what may prove to be a lengthily hearing upon motion to vacate search warrants/suppress evidence in the matter State v. Brooks, Case No. 19003124.

Mr Hone cannot appear before Judge Ford on Wednesday, 6/10/2020, as he will that date be involved in his above described hearing before Judge Acquaviva, which I gather may be fairly lengthily.

Mr. Hone and I can appear before Judge Ford for whatever reason the Court deems necessary on the afternoon of Tuesday, 9/9/2020, from 1:30 p.m. on.

Please clearly advise via reply e-mail of **the date/time at which I and Mr. Hone must next appear before Judge Ford upon this matter.**

Thank you,

John Reilly

John P. Reilly

Attorney at Law

One Hadley Avenue, P.O. Box 4748

Toms River, NJ 08754

Telephone: (732) 244-5100 • Facsimile: (732) 244-0420

e-mail: john@johnreillylaw.com

June 8, 2020

Hon. Marlene Lynch Ford, P.J.S.C.
Superior Court of New Jersey
P.O. Box 2191
Toms River, New Jersey 08754

Via E-Courts & E-mailed to Mary.Moorel@njcourts.gov &
Jennifer.Hausmann@njcourts.gov

Re: State v. Richard Hone
Brick Twp. Complaint/Warrant No. 1506-W-2020-116
O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Judge Ford:

I represent the defendant, Mr. Richard Hone (Mr. Hone), for the above matter. Please see the attached e-mail chain as has been created over the past days relating to this matter, now noticed for hearing before Your Honor for tomorrow, 6/9/2020, at 1:30 p.m. (**Exhibit A**). Both I as attorney and Mr. Hone as defendant will then appear as to Case No. 2000532. Mr. Hone will appear on his motion referenced therein, which I'm advised in some manner involves an Order as forms the basis of a law-suit having been brought by Mr. Hone against Your Honor. In any event, I will advise of the zoom contact information, including Mr. Hone's telephone number, via reply e-mail to same.

But most importantly, as to the hearing upon the only motion currently pending under said Case No. 20000532, i.e. defendant's motion to modify the conditions of his release to allow for contact with his daughter, it is again respectfully requested that same be conducted by Your Honor on Thursday, 6/11/2020, at 9:00 a.m. In this regard, I ask that Your Honor review all pleadings filed on e-courts upon this motion, including Judge Daniels' scheduling Order of 5/27/2020. As indicted, the matter was scheduled by Judge Daniels for 6/11/2020 at 9:00 a.m. as being the earliest date/time following completion of the scheduled 6/10/2020 hearing before Monmouth County Family Court Judge Acquaviva, the Judge most intimately involved with/aware of Mr. Hone's relationship/interactions with both his daughter and her mother and who thus, based upon the full record then gained, may most appropriately decide what contact should be allowed Mr. Hone with his child as serving, as is that Judge's primary interest, the best interest of the child.

In this regard, I specifically ask that Your Honor take particular note of the following language contained in the State's submission of 4/17/2020 to Burlington County Judge Tarantino as then offered in opposition to defendant's motion to modify conditions of his release to remove the subject no contact Order:

"Lastly, if Your Honor rules that there is no conflict between the defendant and the Ocean County Prosecutor's Office and denied defendant's motion to transfer the criminal matter to the Chancery Division—Family Part, defendant requests that Your Honor modify his release conditions. After Your Honor denied defendant's previous motion to modify his release conditions, the parties had a non-dissolution (FD) hearing the following day, April 9, 2020, in BUR-20-000607 04/17/2020 4:09:42 PM Pg 3 of 4 Trans ID: CRM2020330631 Monmouth County. At that hearing, Judge Acquaviva ruled on parenting time for the defendant based on documents that were previously submitted to the Court. During that hearing, the parties appeared by telephone and the victim did mention that there was a criminal release order prohibiting contact with the child. *At that time, Judge Acquaviva asked the victim if she had a copy of that order, but apparently neither party had the order to provide to the Judge. Without the ability to consider the criminal release order, Judge Acquaviva entered an Order that now conflicts with Your Honor's Order* (emphasis added). After the family hearing, the victim filed a motion to reconsider that order as she now has both the pretrial release order and the order denying defendant's request to modify his release conditions permitting contact with the victim and her child. *While the State concedes that a Family Court is the more appropriate court to handle issues of parenting time, the State would argue that the Family Court did not have the full facts to consider when determining whether the defendant should have contact with the child* (emphasis added). As such, I would respectfully ask Your Honor to hold off on any decision to modify the current release order pending the outcome of the victim's motion for reconsideration. It is not procedurally practical to modify the current release order to allow contact, only for the Family Division to perhaps reverse its prior decision permitting parenting time."

As to the above, I ask that Your Honor see the attached copied submission made by the child's mother in said Family Court matter, confirming that any concern that said no contact Order has not been placed before Judge Acquaviva for his consideration has been addressed (**Exhibit B**).

Finally, I ask that you take note of Ms. Toscano's e-mail of 6/6/2020 advising that she has no objection to defendant's motion being heard on 6/11/2020 as she is also awaiting the outcome of said 6/10/2020 hearing before Judge Acquaviva (**Exhibit C**).

Please note that, absent notice of such requested adjournment, I will appear for tomorrow's hearing upon defendant's motion to modify when I will again be requesting adjournment as may be discussed on the record.

Thank you for your kind attention.

Respectfully yours,

S/John P. Reilly

By:

JOHN P. REILLY, ESQ.
Attorney for Defendant,
Richard Hone

JPR/afr
Enclosures

cc (via e-courts & e-mail): Ms. Taylor Toscano, A.P.

[Print](#) | [Close Window](#)

Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford, Case No. 20000532
From: Michelle Tierney <Michelle.Tierney@njcourts.gov>
Date: Mon, Jun 08, 2020 11:51 am
To: "John@johnrelllylaw.com" <John@johnrelllylaw.com>, "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>
Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>

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Please respond with email addresses you would like the ZOOM invitations to be sent, including one for Mr. Hone, so he may attend by ZOOM.

Thank you.

Michelle L. Tierney
Criminal Division Manager
Ocean Vicinage
Superior Court of NJ
732.504.0700 x64330

From: John@johnrelllylaw.com <John@johnrelllylaw.com>
Sent: Saturday, June 6, 2020 3:56 PM
To: Michelle Tierney <Michelle.Tierney@njcourts.gov>; TToscano@co.ocean.nj.us
Cc: Marlene Ford <marlene.ford@njcourts.gov>; Agustina Lane <agustina.lane@njcourts.gov>; Jennifer Hausmann <jennifer.hausmann@njcourts.gov>
Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford, Case No. 20000532

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F

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I cannot appear before Judge Ford on the morning of Tuesday, 6/9/2020, as I am required to appear before Monmouth County Judge Torregrossa-O'Connor upon what may prove to be a lengthily hearing upon motion to vacate search warrants/suppress evidence in the matter State v. Brooks, Case No. 19003124.

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Mr. Hone and I can appear before Judge Ford for whatever reason the Court deems necessary on the afternoon of Tuesday, 6/9/2020, from 1:30 p.m. on.

Please clearly advise via reply e-mail of the date/time at which I and Mr. Hone must next appear before Judge Ford upon this matter.

Thank you,

John Reilly

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

Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford

From: Michelle Tierney <Michelle.Tierney@njcourts.gov>

Date: Sat, June 06, 2020 12:33 pm

To: "John@johnreillylaw.com" <John@johnreillylaw.com> ,

"Toscano@co.ocean.nj.us" <Toscano@co.ocean.nj.us>

Cc: Marlene Ford <marlene.ford@njcourts.gov> , Agustina Lane

<agustina.lane@njcourts.gov> , Jennifer Hausmann

<jennifer.hausmann@njcourts.gov>

Good Afternoon:

On behalf of Judge Ford—

" Please be advised that Judge Ford as the vicinage Assignment Judge will hear both the motion to transfer venue, the motion to modify the terms of Mr. Hone's release conditions and whatever other matters are deemed appropriate by the Court. Although Mr. Hone has sued numerous members of the judiciary and staff throughout the state of NJ, Judge Ford has determined as a matter of necessity that she will hear these motions. Any objections to Judge Ford considering these motions shall be heard at the time and date set for the hearing. "

Marlene Lynch Ford, A.J.S.C. Ocean

Michelle L. Tierney
Criminal Division Manager
Ocean Vicinage
Superior Court of NJ
732.504.0700 x64330

From: John@johnreillylaw.com <John@johnreillylaw.com>
Sent: Friday, June 5, 2020 5:19 PM
To: Michelle Tierney <Michelle.Tierney@njcourts.gov>;
TToscano@co.ocean.nj.us
Cc: Marlene Ford <marlene.ford@njcourts.gov>; Agustina Lane
<agustina.lane@njcourts.gov>; Jennifer Hausmann
<jennifer.hausmann@njcourts.gov>
Subject: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford

CAUTION: This email originated from outside the Judiciary organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear All,

Please see my attached letter to Judge Den-Uyl filed via e-courts and served via email earlier this date. For the reasons given, please **simply and clearly advise** that the hearing upon defendant's motion to modify the conditions of his release scheduled for the 11th by Judge Daniels so as to first allow Monmouth County Family Part Judge Acquaviva to rule upon parenting issues/contact with Mr. Hone's daughter at his hearing of the 10th **remains scheduled for the 11th.**

As to the 9th, I am advised that my motion to vacate search warrants and suppress, brought in the matter of State v. Brooks, Case No 19003124, will proceed to hearing on 6/9/2020 before Judge Torregrossa-O'Connor, so if the whichever judge is to hear said motion to modify, and I would suggest Judge Den Uyl as it is my understanding that Mr. Hone has filed a lawsuit against Judge Lynch Ford, wishes that we conference this matter before said hearing of 11th, I would ask that it be scheduled for the afternoon of the 9th.

Thank you,

John Reilly

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

Subject: Schedule for Tuesday, 6/9/2020 before Judge Ford
From: Michelle Tierney <Michelle.Tierney@njcourts.gov>
Date: Fri, June 05, 2020 4:29 pm
To: "John@johnreillylaw.com" <John@johnreillylaw.com>, "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>
Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>

Good Afternoon,

Judge Ford has advised that she will hear the current pending motions related to Mr. Hone's Ocean Criminal case on Tuesday, June 9, 2020 at 11 a.m. via ZOOM.

Can I please ask Mr. Reilly to advise his client of same? Judge Ford will hear Mr. Hone if he wants to be heard on the matter of the change of venue. She will also hear the matter regarding pretrial release conditions and the matter regarding the no contact order as it relates to staff and Judges of the Ocean Vicinage.

Can you both please respond to this email with the email addresses you would like your ZOOM invites to be sent?

Mr. Reilly, can you please also advise of an email for your client and he will receive an invite as well? Or, we can call him on a telephone number to participate via phone if that is preferred.

Responding only to Judge Ford will not allow the remote event to be set up, so please be sure to respond with the requested information to all on this email.

Thank you very much and have a good weekend.

Michelle L. Tierney
Criminal Division Manager
Superior Court of NJ-Ocean Vicinage
732-504-0700 x64330 (voice)
732-288-7606 (fax)

[REDACTED]
Plaintiff

SUPERIOR COURT OF NEW JERSEY
MONMOUTH COUNTY
FAMILY DIVISION

RICHARD HONE
Defendant

Docket # FD-13-186-20

MOTION FOR RECONSIDERATION of Order 4/9/2020

At the time of the hearing, neither party had a copy of the Burlington Criminal Court pre-trial release conditions which prohibits the Defendant from any contact with myself or the child and this puts us in a conflicting position because by obeying one order the other party automatically becomes in violation of the other order.

Since Family Court does not have jurisdiction over Criminal courts, and since contact at this point could hinder the courts ongoing investigation, I request this Court suspend communication, visitation, discovery requests, interrogatories and document requests pending adjudication of the Burlington matter.

Additionally, the weekday teleconference/skype times conflict with my current work schedule.

[REDACTED]
Pro-Se

4-11-20
Date

Attached Exhibits:

- 1. Order from BCC issued 2/21/20*
- 2. Order denying pre-release modifications to allow contact issued by BCC on 4/8/20*
- 3. Order from Family Court on 4/9/20*

-B-

Exhibit 1

PREPARED BY COURT

State of New Jersey,

v.

Richard W Hone,

Defendant.



SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: CRIMINAL PART
OCEAN COUNTY

Complaint #: W-2020-000116-1506

Criminal Action

ORDER DENYING
PRETRIAL DETENTION
AND ORDERING PRETRIAL
RELEASE

FINDINGS:

THIS MATTER having been opened to the court by the State, and the court having conducted a hearing, with appearing on behalf of the Ocean Prosecutor, representing the State of New Jersey, and appearing on behalf of the defendant,

The court finds that the State has established probable cause that the eligible defendant committed the charged offense(s) based on:

- ▼ The probable cause affidavit
- ▼ The preliminary law enforcement incident report
- ▼ Other evidence, specifically, s2 & s5

REASONS FOR DENIAL OF PRETRIAL DETENTION:

FURTHER, for the reasons set forth on the record and herein, the court does not find clear and convincing evidence that pretrial detention is necessary to reasonably assure the defendant's appearance in court when required, the protection of the safety of any other person or the community, and that the defendant will



not obstruct or attempt to obstruct the criminal justice process.

AP IS GENNA MOSCATO, DA IS WENDY MORAGNE

1-psa recommends pail2 w/ scores 3/4

2-no pending charges; not on pretrial monitoring; not on probation or parole & 1 fta 2014

3-limited contact has permitted with victim relating to their 5 yr old child

4-all out of state records do not show any convictions, so the court has to assume no convictions outside of nj

THEREFORE, the motion for pretrial detention is **DENIED**.

FINDINGS FOR PRETRIAL RELEASE:

THE COURT FINDS that releasing the defendant on personal recognizance or on an execution of an unsecured appearance bond is insufficient to reasonably assure the defendant's appearance in court when required, the protection of the safety of any other person or the community and that the defendant will not obstruct or attempt to obstruct the criminal justice process, and therefore is **ORDERING THE DEFENDANT RELEASED SUBJECT TO NON-MONETARY CONDITIONS**.

REASONS FOR DEPARTURE FROM PRETRIAL SERVICES RECOMMENDATION:

THE COURT FINDS that a departure from the recommendation is appropriate after considering the following information:

- ▼ the defendant has made specific threats of future harm to the victim or a witness



CONDITIONS OF RELEASE

IT IS ORDERED, on this date, February 21, 2020, that the defendant be released on Pretrial Monitoring Level III on the following non-monetary conditions:

The defendant

- ▼ shall appear for all scheduled court proceedings.
- ▼ shall immediately notify Pretrial Services of any change of address, telephone number or other contact information.
- ▼ shall not commit any offense during the period of release.
- ▼ shall avoid all contact with an alleged victim of the offense.
- ▼ shall abide by specified restrictions on personal association as follows: CHILD ██████████ (AGE 5) UNDER ANY CIRCUMSTANCES REGARDLESS IF THERE IS ANY RESTRAINING ORDER IN EFFECT
- ▼ shall report to Pretrial services as follows: telephonically once every other week and in person once every other week
- ▼ shall refrain from possessing a firearm, destructive device, or other dangerous weapon.
- ▼ shall satisfy the following other conditions: -OBEY ALL RESTRAINING ORDERS
-OBEY ORDER RESTRAINING DEFT FROM COMMUNICATING WITH OCEAN CO. COURT



NOTICE TO THE DEFENDANT

FURTHER, the following shall serve as NOTICE of additional responsibilities of the defendant while on pretrial release, and the PENALTIES for noncompliance:

- ▼ You must notify the court immediately in writing if you are detained in jail or prison or otherwise cannot appear at a court proceeding.
- ▼ You must provide Pretrial Services with a valid cellular phone number or email address, to which you have access, to receive reminders for your scheduled court appearances.
- ▼ If you fail to appear at a court proceeding and are arrested in another state or jurisdiction, you agree to waive all rights to extradition proceedings under the New Jersey statutes and the demanding state's or jurisdiction's statutes in regard to extradition law.
- ▼ Failure to appear, violation of any condition(s) of release or a restraining order or the commission of a new offense shall result in one or more of the following penalties and consequences:
 - ▼ Issuance of a warrant for your arrest,
 - ▼ Increasingly restrictive conditions,
 - ▼ A revocation of your release,
 - ▼ Forfeiture of any monetary bail,
 - ▼ Possible detention.



NEXT COURT DATE:

You are hereby ORDERED to return to court on 04/08/2020, at 09:00 AM, at BURLINGTON COUNTY-CRIMINAL COURTS,49 RANOCAS ROAD, MT HOLLY NJ 08060

Comments: PIP

PRETRIAL MONITORING DETAILS:

You are hereby ORDERED to report to Pretrial Services at BURLINGTON CO COURTHOUSE,49 RANOCAS RD 1ST FLOOR 49 RANOCAS RD 1ST FLOOR, MOUNT HOLLY NJ 08060. You will receive a notice of your appointment from Pretrial Services.

Date:02/21/2020

/s/ JUDGE JUDGE OUT OF COUNTY TRANSF

Exhibit 2

KAREN R. THIEK, ESQ. (020022004)
Office of the Public Defender
100 High Street, 2nd Floor
Mt. Holly, NJ 08060
609-518-3060

STATE OF NEW JERSEY

Plaintiff,

V.

RICHARD HONE

Defendant.

SUPERIOR COURT OF NJ
BURLINGTON COUNTY
LAW DIVISION - CRIMINAL
System No. 20-607

ORDAN
DEBARKING
NOTICE OF MOTION TO
MODIFY CONDITIONS OF
PRE-TRIAL RELEASE

W-2020-116-1506

JANITOR GOTTSCHALK
This matter having been presented to the Court on motion by ~~Karen Thiek~~, attorney for
WITH TAYLOR TOSIANO, AP DECAU COUNTY ON BEHALF OF THE STATE
Mr. Hone, and the Court having considered the papers filed and oral arguments presented, and
good cause having been shown for entry of the within order,

It is hereby ORDERED this *8th* day of *APRIL* 2020 that defendant be continued
RND
on PML III, ~~but~~ that the no-contact provisions previously ordered are ~~hereby vacated.~~

REMAIN IN EFFECT.

Dated: *APRIL 8, 2020*

Mark P. Tosiano
Hon MARK P. TOSIANO, JSC

PIP CONFERENCE
DATE IS 5-13-20
AT 9:00 AM

[Print](#) | [Close Window](#)

Subject: RE: [External]RE: Schedule for Tuesday, 6/9/2020 before Judge Ford, Case No. 20000532
From: "Toscano, Taylor" <TToscano@co.ocean.nj.us>
Date: Sat, Jun 06, 2020 5:01 pm
To: "John@johnreillylaw.com" <John@johnreillylaw.com>, Michelle Tierney <Michelle.Tierney@njcourts.gov>
Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>

Good afternoon,

I have no objection to this hearing being held on June 11th as I am also awaiting the outcome of the Monmouth County family hearing.

Thank you,
Taylor Toscano
Ocean County Prosecutors Office

----- Original message -----

From: John@johnreillylaw.com
Date: 6/6/20 3:56 PM (GMT-05:00)
To: Michelle Tierney <Michelle.Tierney@njcourts.gov>, "Toscano, Taylor" <TToscano@co.ocean.nj.us>
Cc: Marlene Ford <marlene.ford@njcourts.gov>, Agustina Lane <agustina.lane@njcourts.gov>, Jennifer Hausmann <jennifer.hausmann@njcourts.gov>
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Mr. Hone and I can appear before Judge Ford for whatever reason the Court deems necessary on the afternoon of Tuesday, 6/9/2020, from 1:30 p.m. on.

-C-

John P. Reilly

Attorney at Law

One Hadley Avenue, P.O. Box 4748

Toms River, NJ 08754

Telephone: (732) 244-5100 • Facsimile: (732) 244-0420

e-mail: john@johnreillylaw.com

June 4, 2020

Honorable Wendel E. Daniels, P.J.S.C.
Superior Court of New Jersey
P.O. Box 2191
Toms River, New Jersey 08754

Via E-Courts & E-mailed to Wendel.Daniels@njcourts.gov

Re: State v. Richard Hone
Brick Twp. Complaint/Warrant No. 1506-W-2020-116
O.C. Case No. 20000532 (had been B.C. Case No. 20000607)

Dear Judge Daniels:

Please recall that I represent the defendant, Mr. Richard Hone (Mr. Hone), for the above matter, currently scheduled for continuation of hearing before Your Honor upon Mr. Hone's motion to modify the terms of his release on this coming Thursday, 6/11/2020, at 9:00a.m. In this regard, enclosed herewith, please find the following:

- A. Ms. Taylor Toscano's e-mail of 6/3/2020 and referred to attachments.
- B. Defendant's Notice of Motion for Leave to Appeal from the attached Orders of Judge Terrance R. Cook, Burlington County P.J.Cr., filed on 6/1/2020.
- C. Mr. Hone's letter of this date.

As to Mr. Hone's Notice of Motion for Emergent Relief as filed by Mr. Hone on 5/28/2020 (the Hone motion), please note that he seeks to proceed upon this motion Pro-Se, as would require a Faretta hearing. In this regard, unless Your Honor feels that he must recuse yourself, in that Mr. Hone seeks emergent relief and in that Your Honor has become well acquainted with this matter over this past week, I request that such Faretta hearing, one as would then/there be immediately followed by hearing upon the Hone motion, be conducted tomorrow or at the otherwise earliest possible date and time.

As to the pending Motion for Leave to Appeal, should Ms. Toscano seek that proceedings at the trial level be stayed, I ask that she bring such motion as required under the Rules immediately in order that same may be promptly ruled upon.

In any event, I request that Your Honor schedule a conference for today, wherein we may determine at the very least: (1) Does Your Honor seek to recuse yourself, and depending thereon how we are to proceed, and; (2) does Ms. Toscano intend to bring motion that proceedings be stayed and how such motion may be most promptly addressed.

These issues need not await Thursday's hearing. Any delay in the decisions made upon these issues, should they negatively impact upon our proceeding with Thursday's hearing will only result in the further delay of Mr. Hone's finally having the contact with his daughter that Judge Acquaviva has already determined to be best for all concerned.

Please give the above Your Honor's immediate attention.

Thank you for your kind attention.

Respectfully yours,

S/John P. Reilly

By:

JOHN P. REILLY, ESQ.
Attorney for Defendant,
Richard Hone

JPR/afr
Enclosures

cc (via e-courts & e-mail): Ms. Taylor Toscano, A.P.

[Print](#) | [Close Window](#)

Subject: RE: Richard Hone Modify Release Conditions Hearing for 6/11/2020 at 9:00 a.m.

From: "Toscano, Taylor" <TToscano@co.ocean.nj.us>

Date: Wed, Jun 03, 2020 3:12 pm

To: "John@johnreillylaw.com" <John@johnreillylaw.com>, Brandon Dejesus <brandon.dejesus@njcourts.gov>

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Attach: s-4 WED complaint.pdf

Good afternoon,

Please be advised that defense counsel and Mr. Hone have filed a motion to appeal the prior motions ruled upon by Judge Cook (disqualification and transferring the matter to the family division). As those issues relate directly to where the case should be adjudicated and whether OCPO is permitted to continue on the case, I don't believe this motion should be heard until the appeal is decided on. Should the appeal be decided prior to June 11th I am obviously willing to appear on the matter, however, I wanted to inform the Court in case notice was not provided previously.

I also wanted to inform chambers that it appears Mr. Hone has decided to file suit against Judge Daniels after our most recent conference. (see attached) I could not find the actual suit on the judiciary search page, but this was previously provided by attorney Stuart Santiago who has been "acting as a friend of the Court" by emailing documents for Mr. Hone.

Brandon—I removed Judge Daniels from this email thread in case that was inappropriate. Could you please forward if necessary? Thank you!

Thank you,
Taylor

From: John@johnreillylaw.com <John@johnreillylaw.com>

Sent: Wednesday, June 3, 2020 2:01 PM

To: Brandon Dejesus <brandon.dejesus@njcourts.gov>; Toscano, Taylor <TToscano@co.ocean.nj.us>;
wendel.daniels@njcourts.gov

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Subject: RE: Richard Hone Modify Release Conditions Hearing for 6/11/2020 at 9:00 a.m.

Dear All,

Attached please find an amended proposed form of Order e-filed this date (Note that the attached is in word form, my finding noting that e-courts would only allow that I file same as a pdf) upon defendant's motion to modify pre-trial conditions scheduled for hearing on Thursday, 6/11/2020 at 9:00 am. Note said correction to be inserting the accurate Docket No. of the subject Monmouth County Family Part matter.

Please call with any questions.

Thank you,
John Reilly

Dear All,

I am available for conference tomorrow at 11:30 am via zoom. Please confirm same via reply e-mail.

-A-

In this regard, please see my attached correspondence e-filed this date as relates to defendant's request that hearing upon his pending motion to modify the conditions of pre-trial release be scheduled for the earliest possible date/time.

Thank you,

John Reilly

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

Subject: Richard Hone conference

From: Brandon DeJesus <brandon.dejesus@njcourts.gov>

Date: Tue, May 26, 2020 2:59 pm

To: "TToscano@co.ocean.nj.us" <TToscano@co.ocean.nj.us>, "john@johnreillylaw.com" <john@johnreillylaw.com>

Cc: Luisa Ojeda <Luisa.Ojeda@njcourts.gov>

Good Afternoon,

Judge Daniels is requesting a conference regarding the Hone matter. Could the parties please confirm their availability to conference the matter tomorrow at 11:30am.

Thank you!

Best,

Brandon DeJesus

Law Clerk to the Honorable Wendel E. Daniels, P.J.Cr.

Superior Court of New Jersey, Ocean Vicinage

120 Hooper Avenue, Courtroom 12

Toms River, N.J. 08754

Tel: 732-504-0700, Ext. 64226

Fax: 732-435-8426

E-mail: Brandon.dejesus@njcourts.gov

Richard Hone, Ph# 347-949-0286
24 Johnston Ave.
Brick, NJ 08724
[REDACTED]

STATE OF NEW JERSEY
Plaintiff

SUPERIOR COURT OF NEW JERSEY
OCEAN COUNTY
CRIMINAL DIVISION
Docket No. 2000-532

V.

CRIMINAL ACTION

Certification in Support of Notice of Motion for
EMERGENT HEARING TO CHANGE VENUE TO
MONMOUTH COUNTY

RICHARD HONE
Defendant, Pro-Se

Oral argument requested telephonically

RICHARD HONE, duly of age, does certify and say:

1. I am citing State v. Williams, 93 NJ 39, 49 (1983), which allows for Emergent relief in criminal cases, so this MUST be heard and ruled on today.
2. I am requesting a hearing TODAY, or in ONE DAY.
3. I want to represent myself Pro-Se immediately with Mr. Reilly acting as my assistant or second chair.
4. I HAVE FILED A 50 MILLION DOLLAR LAWSUIT AGAINST JUDGE DANIELS ON 5-28-20 FOR VIOLATING OUR CIVIL RIGHTS TO DUE PROCESS and a Fair Hearing, plus Official Misconduct, conspiracy with the prosecutor, 14th Amendment violations, and other relevant causes of action. (Attached)
5. That makes it impossible to get a fair hearing in the criminal division, and a Change of Venue is proper, as this is a sign of more retaliation against me for my outspoken and correct views of the corruption in Ocean County
6. I also have 3 other 50 Million Dollar Civil Rights lawsuits against multiple judges in Ocean County that are active. They are HONE V. LYNCH-FORD, OC PROSECUTORS OFFICE, ET AL BUR. L-692-20, HONE V. WELLERSON BUR L-745-20 and HONE V. WATERS BUR. L-689-20, which makes it impossible to get a Fair Hearing Guaranteed by the 14th Amendment of the U.S. Constitution.

7. In the past 4 months alone, Judge Lynch-Ford has Sua Sponte changed Venue on ALL these lawsuits AND the criminal case at hand here. This PROVES I cannot get a Fair Hearing here.
8. I have a Family Matter scheduled for June 10 2020 that will GRANT even more visits than I already have, that this no-contact contact continues to block, that there is NO opposition from the prosecutor to lift the No-Contact provision after June 10th, so the IRREPARABLE HARM ELEMENTS IF VENUE IS NOT CHANGED IMMEDIATELY ARE SUFFICIENT TO WARRANT IMMEDIATE CHANGE OF VENUE.

I swear the above statements made by me are true to the best of my belief and knowledge. If any of the foregoing statements made by me are willfully false, I am subject to punishment.

Richard Hone e-signature

5-28-20

Richard Hone, Pro-Se

Date:



**New Jersey Judiciary
Superior Court - Appellate Division
NOTICE OF MOTION**

JOHN P REILLY, Esq.
JOHN P. REILLY, ATTORNEY AT LAW
ONE HADLEY AVENUE
PO BOX 4748
TOMS RIVER, NJ 08754
732-244-5100
john@johnreillylaw.com

**STATE OF NEW JERSEY
V.
RICHARD W. HONE**

Notice of Motion:

MOTION FOR LEAVE TO APPEAL

PLEASE TAKE NOTICE that the undersigned hereby moves before the Superior Court of New Jersey, Appellate Division, for an Order granting the above relief:

In support of this motion, I shall rely on the accompanying brief or certification.

I hereby certify that I am submitting the original of this notice of motion and accompanying brief or certification to the Clerk of the Appellate Division, and submitting same upon my adversary by email notification. If delivery by non-electronic means, two copies of same will be served upon the following:

TO:

MICHELLE TIERNEY

TERRENCE R. COOK

**TAYLOR E TOSCANO, Esq.
OCEAN COUNTY
PROSECUTORS OFFICE
COURT HOUSE ANNEX
BLDG PO BOX 2191
119 HOOPER AVENUE
TOMS RIVER, NJ 08754-0000**

Trial court #: 20-000532
Trial court disposition date: 05/12/2020 (*)
Category: OTHER
Type: CRIMINAL
County: OCEAN (*)
Trial Court Judge name: TERRENCE R. COOK, JSC (*)

For: APPELLANT,
RICHARD W HONE
s/ JOHN P REILLY, Esq.
JOHN P. REILLY, ATTORNEY AT LAW
BAR ID#: 015041980 Date: 06/01/2020
EMAIL: john@johnreillylaw.com

-B-



New Jersey Judiciary
Superior Court - Appellate Division

NOTICE OF MOTION
ADDITIONAL TRIAL COURT INFORMATION

Trial Court Docket #	Disposition Date	Trial Court County	Trial Court Judge
20-000607	05/12/2020	BURLINGTON	TERRENCE R. COOK, JSC

JOHN P REILLY, Esq.
JOHN P. REILLY, ATTORNEY AT LAW
ONE HADLEY AVENUE
PO BOX 4748
TOMS RIVER, NJ 08754
732-244-5100
john@johnreillylaw.com

Before Appellate Division,
Superior Court of New Jersey
DOCKET NO.

CRIMINAL

STATE OF NEW JERSEY
V.
RICHARD W. HONE

PROOF OF SERVICE

I hereby certify that an original of the following documents, **MOTION FOR LEAVE TO APPEAL, PROOF OF SERVICE, TRIAL COURT ORDER, MOTION BRIEF/CERTIFICATION/SUPPORTING DOCUMENT, TRANSCRIPTS REQUEST FORM** were submitted and transmitted to the parties listed below in the following format:

ELECTRONICALLY TO:

ATTORNEY NAME: TAYLOR E TOSCANO, Esq.

ttoscano@co.ocean.nj.us

TRIAL COURT JUDGE: TERRENCE R. COOK, JSC

TRIAL COURT DIVISION MANAGER: MICHELLE TIERNEY

TRANSCRIPT OFFICE: APPELLATE TRANSCRIPT OFFICE

PROSECUTOR: SAMUEL MARZARELLA

BY MAIL:

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

Attorney for APPELLANT
RICHARD W HONE

Dated: 06/01/2020

By: S/ JOHN P REILLY, Esq.

PREPARED BY THE COURT:

STATE OF NEW JERSEY	:	SUPERIOR COURT OF NEW JERSEY
	:	BURLINGTON COUNTY
	:	LAW DIVISION
	:	CRIMINAL ACTION
	:	
v.	:	
	:	
Richard Hone	:	CASE NO.: 20-607
	:	
Defendant	:	
	:	ORDER DENYING MOTION TO
	:	DISQUALIFY OCEAN COUNTY
	:	PROSECUTOR'S OFFICE

THIS MATTER having come before the Court on Defendant's Motion to Disqualify Ocean County Prosecutor's Office, with Jennifer Gottschalk, Esquire, appearing on behalf of the Defendant, and Taylor Toscano, Assistant Prosecutor, Ocean County, appearing on behalf of the State.

IT IS ORDERED on this 8th day of May 2020, that the Defendant's Motion is **DENIED**.

/s Terrence R. Cook, P.J.Cr.

[Print](#) | [Close Window](#)

Subject: Hone to bring criminal charges v. Toscano and Daniels

From: RICHARD HONE [REDACTED]

Date: Thu, Jun 04, 2020 8:32 am

To: john@johnreillylaw.com, [REDACTED]

It is my wish that John Reilly presents this to the court.

It is my full intention to bring criminal charges against toscano and lynch Ford for reasons well known to them both and against Daniels if he continues to violate my and my daughter's Civil Rights

Thanks

Richard Hone and [REDACTED]

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- 2 -