

SUPREME COURT OF NEW JERSEY
NO. 085288

STATE OF NEW JERSEY, :
 :
 : Direct Certification on
 Plaintiff-Respondent, : Motion of the Supreme Court,
 : R. 2:12-1
 :
 v. : Criminal Action
 :
 : On Appeal from:
 :
 OMAR VEGA-LARREGUI, : Superior Court of New Jersey
 : Law Division - Mercer County
 Defendant-Movant. : Indictment No. MER-20-07-0221-I
 :
 : Sitting Below:
 : Hon. Darlene Pereksta, J.S.C.
 :
 :

**DEFENDANT'S BRIEF AND APPENDIX
IN SUPPORT OF MOTION TO DISMISS INDICTMENT**

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TABLE OF CONTENTS

TABLES OF JUDGMENTS, ORDERS, AND RULINGS.....iii

TABLE OF AUTHORITIES.....iv

PROCEDURAL HISTORY.....1

STATEMENT OF FACTS.....2

LEGAL ARGUMENT.....7

 AN INDICTMENT RETURNED BY A VIRTUAL GRAND JURY
 VIOLATES A DEFENDANT’S RIGHT TO A FUNDAMENTALLY FAIR
 GRAND JURY PROCEEDING.....7

 I. The New Jersey Constitution grants to all
 defendants a right to indictment by grand
 jury.....8

 II. The doctrine of fundamental fairness
 prohibits indictment by virtual grand jury.....9

 A. Virtual grand jury practice lacks sufficient
 safeguards to ensure an impartial and unbiased
 jury11

 B. Virtual grand jury practice does not
 sufficiently protect grand jury secrecy15

 C. Virtual grand jury practice lacks sufficient
 safeguards to ensure jurors were present
 for or informed of the evidence presented.....17

CONCLUSION.....20

APPENDIX.....Da

 Complaint.....Da1

 Motor Vehicle Summons.....Da11

 Indictment.....Da16

Defendant's Motion to Dismiss.....Da20
Defense Counsel's Letter to Prosecutor.....Da24

TABLE OF JUDGMENTS, ORDERS, AND RULINGS

May 14, 2020 New Jersey Supreme Court Order.....Aa28
June 4, 2020 New Jersey Supreme Court Order..... Aa34¹
July 24, 2020 New Jersey Supreme Court Order.....Aa36
September 17, 2020 New Jersey Supreme Court Order.....Aa45
October 8, 2020 New Jersey Supreme Court Order.....Aa53
November 16, 2020 New Jersey Supreme Court.....Aa63

¹ The Supreme Court's Order of July 24, 2020 extends its prior Order convening virtual grand juries "consistent with the Court's June 9, 2020 Order." Movant has found no evidence of a June 9, 2020 Order and assumes this was a scrivener's error.

TABLE OF AUTHORITIES

	<u>Page</u>
<u>Cases</u>	
<i>Bd. of Health of Weehawken Twp. v. N.Y. Cent. R.R. Co.</i> , 10 N.J. 294 (1952).....	8
<i>Branzburg v. Hayes</i> , 408 U.S. 665 (1972).....	9
<i>Douglas Oil Co. of California v. Petrol Stops Northwest</i> , 441 U.S. 211 (1979).....	15
<i>In re Grand Jury Appearance Req. by Loigman</i> , 183 N.J. 133 (2005).....	8
<i>Riley v. California</i> , 573 U.S. 373 (2014).....	12
<i>State v. Ciba-Geigy Corp.</i> , 222 N.J. Super. 343 (App. Div. 1988).....	17
<i>State v. Del Fino</i> , 100 N.J. 154 (1985).....	10, 17
<i>State v. Doliner</i> , 96 N.J. 236(1984).....	15, 16
<i>State v. Hogan</i> , 144 N.J. 216 (1996).....	8, 9, 10
<i>State v. McAllister</i> , 184 N.J. 17 (2005).....	9
<i>State v. Murphy</i> , 110 N.J. 20 (1988).....	10, 11
<i>State v. Saavedra</i> , 222 N.J. 39 (2015).....	10
<i>State v. Shaw</i> , 241 N.J. 223 (2020).....	8, 10
<i>United States v. Proctor & Gamble Co.</i> , 356 U.S. 677 (1958).....	15
<i>Vasquez v. Hillery</i> , 474 U.S. 254 (1986).....	9
<i>Wood v. Georgia</i> , 370 U.S. 375 (1962).....	17

Rules and Directives

New Jersey Rules of Court, Rule 2:12-1.....2

New Jersey Rules of Court, Rule 3:6-1.....4

New Jersey Rules of Court, Rule 3:6-6.....16

New Jersey Rules of Court, Rule 3:6-7.....16

New Jersey Court's *Policy Regulating Jurors' Use of Electronic Devices During Juror Service* (promulgated July 24, 2018).....13

New Jersey AOC, Directive 23-06, *Grand Jury Standards Implementations and Questionnaire*.....5

New Jersey AOC, Supplement to Directive 23-06, *COVID-19-Virtual Grand Jury Pilot Program-(1) Supplement to the Grand Jury Charge and (2) Supplement to the Oath of Secrecy* (May 15, 2020).....5, 6

New Jersey AOC, Updated Supplement to Directive 23-06, *COVID-19 - Virtual Grand Jury Program - (1) Supplement to the Grand Jury Charge; and (2) Supplement to the Oath of Secrecy* (Sept. 30, 2020).....6

New Jersey AOC, *Virtual Grand Jury Program* (PowerPoint July 27, 2020).....6

Local Rules for U.S. Dist. Ct. D.N.J., Rule 501.1.....13

Local Rules U.S. Dist. Ct. D.Vt., Rule 83.2.....14

Local Rules U.S. Dist. Ct. N.D.W.Va, Rule 85.03.....14

Local Crim. Rules for U.S. Dist. Ct. E.D. La., Rule 6.1....13, 14

U.S. Dist. Ct. Rules N.D.N.Y., Gen. Order 26 (2011).....14

U.S. Dist. Ct. Rules M.D.Pa., Standing Order 05-03.....14

Constitutional Provisions

N.J. Const. art. I, ¶ 8.....8

Other Authorities

Amanda McGee, *Juror Misconduct in The Twenty-First Century: The Prevalence of The Internet And Its Effect on American Courtrooms*, 30 Loy. L.A. Ent. L. Rev. 301 (2010).....11, 12

D. Dreher, *Help for a Smartphone-Addicted Generation*, Psychology Today (posted July 8, 2019) (available at <https://www.psychologytoday.com/us/blog/your-personal-renaissance/201907/help-smartphone-addicted-generation/>)..12

S. Shoukat, *Cell phone addiction and psychological and physiological health in adolescents*, 18 EXCLI Journal at 47-50 (Feb. 4, 2019) (available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6449671/>)12

PROCEDURAL HISTORY

On August 22, 2019, Trenton police issued Complaint Number 1111-W-2019-003689, charging Omar Vega-Larregui with controlled dangerous substance ("CDS") offenses, including possession of CDS (cocaine, third degree), possession with intent to distribute (second degree), and possession with intent to distribute within 500 feet of park property (second degree). (Da1-Da10). Defendant was also charged with two disorderly persons offenses for resisting arrest and obstruction (for failure to obey a "lawful command.") (*Id.*) Police issued defendant several motor vehicle summonses-principally parking in front of his own property, failure to exhibit documents and possession of CDS in a motor vehicle. (Da11-Da15).

On July 9, 2020, a Mercer County Grand Jury returned a four-count indictment charging defendant with possession of CDS (cocaine, third degree); possession with intent to distribute (second degree); possession with intent to distribute within 500 feet of park property (second degree) and obstruction (fourth degree). (Da16-Da19). On September 22, 2020, defendant entered a not guilty plea to the indictment. On November 10, 2020, defendant filed the instant motion to dismiss the indictment in the Law Division, Superior Court. (Da20-Da23).

On December 21, 2020, the Association of Criminal Defense Lawyers having obtained consent of the parties to file a brief

in support of defendant's motion was granted leave to appear as *amicus curiae*. (Aa9-Aa10).

On January 13, 2021, the Supreme Court exercised jurisdiction under Rule 2:12-1 to certify the motion unheard in the Law Division, by order of the same date. (Aa1-Aa4). This brief in support of defendant Omar Vega-Larregui's challenge to the constitutionality of the virtual grand jury follows.

STATEMENT OF FACTS¹

On August 22, 2019, Detective Stephen Szbanz was apparently on street patrol in the area of Furman and Turpin Streets in Trenton, which he identified as "known for open air narcotic sales and quali[t]y of life violations."² Turpin Street is actually a narrow alleyway between Second and Centre Streets in South Trenton, with traffic only permitted travel in the northerly direction.³

¹The statement of facts is bifurcated, the first part based on information gleaned from police reports provided in discovery and a transcript of the grand jury proceedings of July 9, 2020. The second part recites facts relevant to the invocation and use of virtual grand juries to hear criminal matters during the Covid-19 pandemic.

² Grand jury transcript, pg. Aa133, line 25-pg. Aa134, line 2 (hereafter, simply, "Aa.") The transcript has been appended confidentially to the brief submitted by *amicus curiae* Association of Criminal Defense Lawyers of New Jersey, at Aa127-Aa144)

³ For a visual rendering, see Google Maps, <https://www.google.com/maps/place/46+Turpin+St,+Trenton,+NJ+08611/@40.2103549,->

During his patrol, Szbanz saw a silver pickup truck parked on a sidewalk "blocking numerous garages." (Aa134, 15-18). He entered the alleyway where he found three men, one of whom was the defendant standing near the truck. Vega-Larregui identified himself as the owner of the truck. Szbanz advised the nature of the violations and demanded documentation from the truck. Vega-Larregui allegedly became nervous, unlocked the truck's door, and began shuffling through papers in the glove compartment. (Aa134,19-Aa135,17). After some further allegedly nervous behavior, Szbanz ordered defendant out of the truck and searched it himself, claiming to have spied a single baggie in plain view under the driver's side floorboard. (Aa136, 2-20). The baggie weighed roughly one ounce, contained cocaine, with no other indicia of an intention to distribute found anywhere in the truck. (Aa138,2-Aa139,9).

Detective Szbanz offered an opinion that the amount of CDS in question was possessed with intent to distribute. The prosecutor asked another question, whereupon the following exchange took place:

Q. And how did you come to that opinion?

A. The way it was packaged, it was in a single bag tied off, there was no other drug paraphernalia, and

[74.7590768,18z/data=!4m5!3m4!1s0x89c159c0c0f8c2ad:0xee1d7eccaa2db591!8m2!3d40.2102519!4d-74.758732?hl=en](https://www.fda.gov/oc/2018/07/74.7590768,18z/data=!4m5!3m4!1s0x89c159c0c0f8c2ad:0xee1d7eccaa2db591!8m2!3d40.2102519!4d-74.758732?hl=en).

that amount would be definitely for distribution.

(Aa140, 16-19).

After testimony concluded, the grand jury, meeting virtually via Zoom link, reviewed the proposed indictment, deliberated, and returned an indictment consistent with the document presented. The details of that process are set forth verbatim in the transcript, including statements by various unidentified speakers that they either did or did not see the indictment, did or did not have questions, and did or did not have issues with the deliberation and voting. (Aa141,18-Aa144,9).

Separately, in March 2020, the New Jersey Supreme Court curtailed nearly all court operations, specifically including grand jury sessions, in response to the global pandemic. (Aa11). The March Order effectively suspended the application of Rule 3:6-1, which requires "At least one grand jury [to] be serving in each county at all times."

Thereafter, in its Second Omnibus Order, dated April 24, 2020, the Supreme Court ordered judiciary and stakeholders to meet "to explore potential options for conducting virtual grand jury selections and sessions..." (Aa13).

The mechanics for summoning, charging, and conducting grand jury sessions have historically been provided by the

Administrative Office of the Courts (AOC). On December 22, 2006, the Honorable Philip S. Carchman, J.A.D., and Acting Director of the Administrative Office of the Courts, issued Directive 23-06, entitled *Grand Jury Standards-Implementation and Questionnaire*, promulgating standards for statewide grand jury use after approval of the Judicial Council in October of that year. The Directive covered, *inter alia*, standards for orientation, jury charges, and secrecy oaths.

Judge Carchman's Directive remained undisturbed until May 2020, as the Supreme Court grappled with an effective response to a public health emergency, whose duration remained difficult to predict. On May 14, 2020, the Court announced that it had convened a Working Group on Remote Grand Jury Operations (Working Group) to study the prospects for remote grand juries. As a result of that study, the Court ordered modifications to Rule 3:6 (Grand Jury) to accommodate technological adjustments to grand jury operations in pursuit of an effective virtual platform. (Aa28-Aa33). The same Order authorized pilot virtual grand juries in Bergen and Mercer Counties, provided that presentations were undertaken with a defendant's consent. (*Id.*)

The following day, the Honorable Glenn A. Grant, J.A.D., and current AOC Director, issued a supplement to Directive 23-06 designed to implement the May 14th Order entitled *COVID-19-*

Virtual Grand Jury Pilot Program-(1) Supplement to the Grand Jury Charge and (2) Supplement to the Oath of Secrecy.

On June 4, 2020, the Supreme Court issued another Order modifying the terms of its May 14, 2020 Order, because "The requirement that a defendant consent to presentation of charges to a grand jury convening remotely (rather than in person) has inhibited bringing cases before those ready grand juries." (Aa34). This permitted the pilot program prosecutors to present more cases and collect data.

On July 24, 2020, the Court entered an Order expanding the virtual grand jury program to all counties and State Grand Jury. (Aa36-Aa44). On July 27, 2020, more than two months after approval of the grand jury pilot program, Judge Grant issued a report, entitled *Virtual Grand Jury Pilot Program*, detailing progress and evaluation of the virtual grand jury experiment. The report illustrated the myriad of affirmative steps and precautions taken to address concerns of discriminate access, secrecy, and program integrity.

On September 30, 2020, Judge Grant issued an "updated" supplement to Directive 23-06, which implemented the Court's prior Order to move the two-county pilot program to all 21 counties.

On July 9, 2020, defendant's case was presented to a virtual grand jury in Mercer County. (Aa127-Aa144). Defendant

was arraigned on September 22, 2020. After arraignment, defendant requested discovery, to include a copy of the video recording of the virtual presentation and a copy of the charge given to virtual grand jurors. (Da24). Defendant received discovery. No video or specific charging information has been supplied to date.

LEGAL ARGUMENT

AN INDICTMENT RETURNED BY A VIRTUAL GRAND JURY VIOLATES A DEFENDANT'S RIGHT TO A FUNDAMENTALLY FAIR GRAND JURY PROCEEDING.

Since the earliest days of the Republic, courts have dealt with exigencies that seem to have been invented to frustrate the orderly administration of justice. World and civil wars rank among the greatest challenges overcome in the past. Surely a global pandemic has earned its place in the pantheon of unforeseen circumstances.

Technology offers material aid to those charged with crafting novel solutions to our collective inability to congregate, but technology has its limits. In the argument below, defendant advances the claim that the grand jury is not a suitable forum for experimentation. The practical problems with guaranteeing a fundamentally fair presentation are simply too daunting to countenance compromise in the name of expediency. The model created in New Jersey possesses insufficient

safeguards against improper influences on grand jurors, fails to adequately protect grand jury secrecy, and cannot guarantee grand jurors have been properly informed of the evidence presented in any given case.

I. The New Jersey Constitution grants to all defendants a right to indictment by grand jury.

The grand jury occupies "a high place as an instrument of justice" unique to our criminal justice system. *State v. Hogan*, 144 N.J. 216, 225 (1996) (internal citations omitted). The history of the grand jury is rooted in the common law and "made a part of the law of this State by virtue of ... the Constitution of 1776." *State v. Shaw*, 241 N.J. 223, 237 (2020) (internal citations omitted). A prohibition against criminal informations was later incorporated in the Constitution of 1844 *Bd. of Health of Weehawken Twp. v. N.Y. Cent. R.R. Co.*, 10 N.J. 294, 304 (1952). Our modern constitution carried over substantially the same language and provides,

No person shall be held to answer for a criminal offense, unless on the presentment or indictment of a grand jury, except in cases of impeachment, or in cases now prosecuted without indictment, or arising in the army or navy or in the militia, when in actual service in time of war or public danger.

N.J. Const. art. I, ¶ 8.

For more than 200 years, the right to indictment by grand jury has provided, "fundamental protection in the charging process." *In re Grand Jury Appearance Req. by Loigman*, 183 N.J.

133, 138 (2005). The grand jury acts as a "constitutional bulwark against hasty and ill-founded prosecutions and continues to lend legitimacy to our system of justice by infusing it with a democratic ethos." *State v. McAllister*, 184 N.J. 17, 36 (2005) (internal citations omitted). The institution was not meant to exist as a "rubber stamp of the prosecutor's office." *Hogan*, 144 N.J. at 236. As the United States Supreme Court explained:

The grand jury does not determine only that probable cause exists to believe that a defendant committed a crime, or that it does not. In the hands of the grand jury lies the power to charge a greater offense or a lesser offense; numerous counts or a single count; and perhaps most significant of all, a capital offense or a noncapital offense—all on the basis of the same facts. Moreover, the grand jury is not bound to indict in every case where a conviction can be obtained.

Vasquez v. Hillery, 474 U.S. 254, 263 (1986) (internal citations omitted). The grand jury has long occupied a protected place in New Jersey's hierarchy of constitutional values, and it is entitled to considerable deference. We should tread lightly before profoundly altering how it functions to "protect[] citizens against unfounded criminal prosecutions", *Branzburg v. Hayes*, 408 U.S. 665, 686-7 (1972). Indeed, the integrity of the grand jury system demands our vigilance.

II. The doctrine of fundamental fairness prohibits indictment by virtual grand jury.

The Court honors its commitment to fundamentally fair grand

jury presentations through its supervisory powers. *Hogan*, 144 N.J. at 231-32; *Shaw*, 241 N.J. at 242. In this regard, the Court "extend[s] greater protections to defendant's rights than . . . the federal courts." *Hogan*, 144 N.J. at 231. The doctrine of fundamental fairness is "an integral part of due process that is often extrapolated from or implied in other constitutional guarantees." *State v. Saavedra*, 222 N.J. 39, 67 (2015) (internal citations omitted).

The doctrine, while used sparingly, has been invoked to require prosecutors to advise the court of "evidence of [a grand juror's] partiality or bias." *State v. Murphy*, 110 N.J. 20, 33 (1988). Fundamental fairness imposes a duty on prosecutors to present evidence to the grand jury "that both directly negates the guilt of the accused and is clearly exculpatory." *Hogan*, 144 N.J. at 237. Fundamental fairness demands that a grand juror must have been present for or informed of the evidence from each session in order to vote to indict. *State v. Del Fino*, 100 N.J. 154, 164-65 (1985). Most recently, the Court invoked the doctrine to place certain limits on re-presentations when the grand jury declines to indict. *Shaw*, 241 N.J. at 242-43.

The doctrine of fundamental fairness likewise requires grand jury sessions be held in person to preserve the integrity of the grand jury process. Virtual grand juries, in which jurors participate from home through videoconferencing, are

fundamentally unfair to defendants, because there are insufficient safeguards to ensure an impartial and unbiased jury, ensure grand jury secrecy and ensure jurors were present for, or informed of, the evidence presented.

A. Virtual grand jury practice lacks sufficient safeguards to ensure an impartial and unbiased jury.

The New Jersey Constitution, art. 1, para 8 guarantees an individual the right to have his case considered by an impartial and unbiased grand jury. *Murphy*, 110 N.J. at. 29-30. Conducting grand jury sessions on a virtual platform jeopardizes this right, as the setting is fraught with the potential for abuse. A corollary to the convenience of remote access is a corresponding inability to oversee the conduct of not only grand jurors but remote witnesses as well. There exists a palpable risk for jurors to be conducting their own factual and/or legal research online related to the matters before them. Likewise, there are insufficient safeguards against participation by third parties in the grand jurors' or witnesses' locations during the virtual session.

The addictive power of smartphones and their impact on jury conduct was examined as early as 2010 in the *Loyola of Los Angeles Law Review*:

Jurors have become so accustomed to readily accessing information that the immediate need for that information sometimes causes them to go to great lengths to get it, even if it requires ignoring orders

from the court. A juror's disobedience of the judge's instructions, then, may be partly due to these addictions. "We [have become] so hooked on . . . instantaneous communication . . . [that] we can't seem to drop it even for a short period of time in order to discharge a civic duty."

Amanda McGee, *Juror Misconduct In The Twenty-First Century: The Prevalence Of The Internet And Its Effect On American Courtrooms*, 30 Loy. L.A. Ent. L. Rev. 301, 310 (2010).

A decade later, McGee's analysis carries even greater poignancy. See *Riley v. California*, 573 U.S. 373, 395 (2014) ("nearly three-quarters of smart phone users report being within five feet of their phones most of the time, with 12% admitting that they even use their phones in the shower") (internal citations omitted). See also D. Dreher, *Help for a Smartphone-Addicted Generation*, Psychology Today (posted July 8, 2019) (available at <https://www.psychologytoday.com/us/blog/your-personal-renaissance/201907/help-smartphone-addicted-generation/>) (last visited Jan. 27, 2021); S. Shoukat, *Cell phone addiction and psychological and physiological health in adolescents*, 18 EXCLI Journal at 47-50 (Feb. 4, 2019) (available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC6449671/>) (last visited Jan. 27, 2021).

Defendant's concerns do not exist in isolation. In a July 2020 memorandum, the County Prosecutors Association of New

Jersey reaffirmed its May 3, 2020 formal written objection to virtual grand juries, originally submitted to the Supreme Court Working Group. (Aa 69-73). Among the litany of reasons advanced to support their Constitutional objections, prosecutors recognized the difficulty policing the unauthorized use of smart phones:

Jurors could look up online news stories in real time about cases being presented, interfering with the fair and recorded process by which evidence is presented to the Grand Jury. With traditional grand juries, steps are taken to prevent the unauthorized use of phones and other technology prior to the session--a practice that would be impossible to monitor or enforce in a virtual platform.

(Aa71). The Court's cell phone policy prohibits the use of electronic devices in the grand jury room. See New Jersey Court's *Policy Regulating Jurors' Use of Electronic Devices During Juror Service* (promulgated July 24, 2018). In Mercer County, grand jurors must deposit their phones in a dedicated cabinet inside the grand jury room prior to their participation.

Prohibiting electronic devices in the grand jury room is not uncommon, despite its controlled setting. A number of federal courts bar jurors from bringing electronic devices into the grand jury room. See, e.g., Local Rules for U.S. Dist. Ct. D.N.J., Rule 501.1(f)(2)(D) ("Grand jurors in possession of electronic devices will surrender these devices to court staff prior to entering the Grand Jury room"); Local Crim. Rules for

U.S. Dist. Ct. E.D. La., Rule 6.1 (“No person shall introduce or possess any . . . electronic device in the grand jury room”); U.S. Dist. Ct. Rules N.D.N.Y., Gen. Order 26 (2011) (“Grand Jurors will be instructed by the Clerk of Court not to bring their cell phones, kindles, other tablet devices or laptop computers to the Courthouse”); Local Rules for U.S. Dist. Ct. D.Vt., Rule 83.2(b) (4) (E) (“Grand jurors may not use or possess any electronic device during or in connection with any proceeding”); Local Rules for U.S. Dist. Ct. N.D.W.Va, Rule 85.03 (“Electronic devices of any kind are not permitted in the grand jury rooms”); U.S. Dist. Ct. Rules M.D.Pa., Standing Order 05-03 (“Grand jurors in possession of electronic devices will surrender these devices to court staff prior to entering the Grand Jury room”).

To be certain, requiring jurors to surrender their phones while in the grand jury room reflects the collective wisdom that the oath alone is an insufficient safeguard, notwithstanding the prosecutor’s ability to fully observe grand jurors during the presentation. By contrast, remote settings remove almost all control. In a virtual environment, at best prosecutors observe no more than a thumbnail of each jurors’ head and shoulders. No one is physically present with jurors to remind, let alone command them to comply. It is hardly a leap of logic to conclude the oath alone, in whatever form, is an insufficient safeguard

in a virtual setting.

In short, there exists an inherent danger of introducing extraneous information to one or more grand jurors. Plainly, an instruction and oath (delivered remotely, no less) will not suffice. The start of every court session in every county and in every municipality begins with an instruction to everyone to silence their cell phones. And yet when court begins, they ring.

B. Virtual grand jury practice does not sufficiently protect grand jury secrecy.

Grand jury proceedings have long been conducted in secret. Since the 17th Century, “[they] have been closed to the public, and records of such proceedings have been kept from the public eye.” *Douglas Oil Co. of California v. Petrol Stops Northwest*, 441 U.S. 211, 218 n. 9 (1979). The United States Supreme Court has recognized that “the proper functioning of our grand jury system depends upon the secrecy of grand jury proceedings.” *Id.* at 218 (citing *United States v. Proctor & Gamble Co.*, 356 U.S. 677 (1958)). See, also, *State v. Doliner*, 96 N.J. 236, 246-47(1984).

The rule of secrecy exists to ensure the freedom of action necessary for the grand jury to effectively discharge its duties. *Id.* at 247 (internal citations omitted). It prevents coercion of grand jurors through outside influence and

intimidation, it protects the reputation of persons considered by the grand jury but not indicted, it prevents disclosure to those who are under investigation, and it permits witnesses to appear without fear of retaliation. *Id.*

The New Jersey Rules of Court incorporate grand jury secrecy in Rules 3:6-6 and 3:6-7. Rule 3:6-6 provide, "[n]o person other than the jurors, the prosecuting attorney, the clerk of the grand jury, the witness under examination, interpreters when needed and, for the purpose of recording the proceedings, a stenographer or operator of a recording device may be present while the grand jury is in session." R. 3:6-6. During the grand jury's deliberation, only "the jurors, the clerk, the prosecuting attorney and the stenographer or operator of the recording device may be present." *Id.* Rule 3:6-7 imposes an obligation of secrecy upon grand jurors and those present other than witnesses. R. 3:6-7.

Virtual grand juries are incompatible with grand jury secrecy rules. There are insufficient safeguards to prevent participation by third parties in the grand jurors' or witnesses' locations during the virtual session and to prevent the simultaneous recording of the grand jury proceeding. The County Prosecutors Association of New Jersey identified these concerns:

Simply stated, there is no way to ensure Grand Jury

confidentiality with remote video-conference sessions. Individuals can discreetly take screen shots of materials depicted on a video-record content on a separate computer or tablet.

(Aa71). Separately, the Mercer County Prosecutor described an instance during the pilot program where one grand juror had her grandson help her connect to the proceedings. (Aa82).

Irrespective of the anecdotes, all of which merely serve to illustrate the permutations of inefficacy when trying to maintain secrecy in remote proceedings, the imperative remains: secrecy as a bedrock of grand jury practice should never be aspirational. And while efforts to secure virtual platforms have been laudable, they have also fallen short. If the resort to virtual grand juries will be temporary, the harm to our constitutional values will be permanent.

C. Virtual grand jury practice lacks sufficient safeguards to ensure jurors were present for or informed of the evidence presented.

The doctrine of fundamental fairness demands that a necessary number of grand jurors be present for or informed of the evidence before voting to indict. *Del Fino*, 100 N.J. at 164-65; *State v. Ciba-Geigy Corp.*, 222 N.J. Super. 343, 354 (App. Div. 1988). "To permit otherwise would be to disregard the [United States Supreme Court's] mandate . . . that a grand jury determine if a 'charge is founded upon reason.'" *Id.* (quoting *Wood v. Georgia*, 370 U.S. 375, 390 (1962)).

A virtual grand jury proceeding fails to ensure this Constitutional right. Again, the County Prosecutors Association of New Jersey raised this concern in their July 2020 statement, opposing virtual grand juries:

[S]ome people have speedy connections that work well with live streams and others do not. Entire portions of critical testimony or legal argument can get lost to a temporary technical "glitch" even when a signal is otherwise strong. This concern is especially important because if a grand juror misses a portion of the prosecutor's presentation, they cannot participate in the deliberations, thereby creating another issue that impedes a full, robust and representative Grand Jury. . . Finally the only way we will know of any "glitches" is if the grand juror self-reports the issue(s).

(Aa72). In fact, the Mercer County Prosecutor's office reported various technical problems during the pilot program:

We've had several examples here where the grand juror has either dropped off completely or they couldn't hear a witness's testimony, and that's very concerning to us because the grand jury panel isn't getting the entire flavor for the case.

(Aa82). The presentation in defendant's case illustrates the difficulties encountered with even the most basic task of showing the grand jury a document:

UNIDENTIFIED SPEAKER: Okay. I'm going to share the screen. Can everyone see the indictment?

GRAND JURORS: No.

UNIDENTIFIED SPEAKER: How about now?

GRAND JUROR: No.

UNIDENTIFIED SPEAKER: No? Okay. Let me see.

UNIDENTIFIED SPEAKER: Yeah, but that's not it, though. Was that it? How's that, do you see it?

UNIDENTIFIED SPEAKER: Yup.

(Aa142). This exchange raises a host of questions, the answers to which are not readily decipherable from the transcript. Among them, who are the unidentified speakers?

The transcript further notes "no audible response" when jurors were asked if they experienced technical difficulties or had questions. (Aa142, 143, 144). The state's reliance on verbal communication brings the fundamental dilemma of virtual proceedings into sharp relief: if a grand juror cannot hear a portion of the presentation, he or she presumably cannot hear the question *asking* if he or she heard that portion of the presentation. There remains a fundamental flaw in the virtual approach, that is, the absence of a mechanism for verifying that grand jurors saw and heard all of the testimony and exhibits.

CONCLUSION

For the reasons stated above, Defendant respectfully submits conducting grand jury sessions on a virtual platform is unconstitutional and therefore the indictment must be dismissed.

Respectfully submitted,

s/John S. Furlong

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COMPLAINT - WARRANT

COMPLAINT NUMBER

1111 **W** **2019** **003689**

COURT CODE PREFIX YEAR SEQUENCE NO.

TRENTON MUNICIPAL COURT
225 N CLINTON AVE
TRENTON NJ 08607-0000
609-989-3700 COUNTY OF: **MERCER**

of CHARGES: **5** CO-DEFTS: POLICE CASE #: **19010327**

COMPLAINANT NAME: **STEPHEN SZBANZ**
225 NO CLINTON AVE
ATTN: WARRANTS
TRENTON NJ 08607

THE STATE OF NEW JERSEY

VS.

OMAR E VEGA-LARREGUI

ADDRESS: **544 PROSPECT AVE**
MORRISVILLE PA 19067-0000

DEFENDANT INFORMATION
SEX: **M** EYE COLOR: **BROWN** DOB: **01/03/1977**
DRIVER'S LIC. # _____ DL STATE: _____
SOCIAL SECURITY # _____ SBI #: _____
TELEPHONE #: _____
LIVESCAN PCN # _____

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **08/22/2019** in **TRENTON CITY**, **MERCER** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, WHILE IN FRONT OF 46 TURPIN STREET DID KNOWINGLY AND PURPOSEFULLY VIOLATE THE FOLLOWING:

CHARGE #1: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT: (COCAINE) IN VIOLATION OF NJS 2C:35-10A(1)
3RD DEGREE

CHARGE #2: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT: (COCAINE OVER 1/2 OZ) WITH THE INTENT TO DISTRIBUTE SAME IN VIOLATION OF NJS 2C:35-5B(2)
2ND DEGREE

CHARGE #3: DID RESIST A LAWFUL ARREST BY FAILING TO PLACE HIS HANDS BEHIND HIS BACK IN VIOLATION OF NJS 2C:29-2A(1)
DP

in violation of:

Original Charge	1) 2C:35-10A(1)	2) 2C:35-5B(2)	3) 2C:29-2A(1)
Amended Charge			

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

Signed: **STEPHEN SZBANZ** Date: **08/22/2019**

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **MERCER** at the following address: **MERCER COUNTY SUPERIOR CT**
400 SOUTH WARREN ST. **TRENTON NJ 08650-0000**
Date of Arrest: **08/22/2019** Appearance Date: _____ Time: _____ Phone: **609-571-4000**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator Date Signature of Judge Date

Probable cause **IS** found for the issuance of this complaint. **LOURDES COSME JUDICIAL OFFICER** **08/22/2019**
Signature and Title of Judicial Officer Issuing Warrant Date

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

Bail Amount Set: _____ by: _____
(if different from judicial officer that issued warrant)

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

Special conditions of release:

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

ORIGINAL

COMPLAINT - WARRANT

COMPLAINT NUMBER

1111

W

2019

003689

STATE V.

OMAR E VEGA-LARREGUI

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

CHARGE #4: DID OBSTRUCT THE ADMINISTRATION OF LAW BY FAILING TO COMPLY WITH DETECTIVE'S ORDERS DURING THE COURSE OF A LAWFUL INVESTIGATION IN VIOLATION OF NJS 2C:29-1

***DP**

CHARGE #5: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT:(COCAINE) WITH THE INTENT TO DISTRIBUTE SAME WITHIN 500' OF A PARK IN VIOLATION OF NJS 2C:35-7.1A

2ND DEGREE

Original Charge

4) **2C:29-1A**

5) **2C:35-7.1A**

Amended Charge

COMPLAINT - WARRANT

Page 2 of 10

NJ/CDR2 1/1/2017

COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.
1111	W	2019	003689	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

OMAR E VEGA-LARREGUI

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
-----------------------------	--	----------------------	-------------------------------------	---

Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: _____	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
---------------------------------	---	--

Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:35-10A(1)	2) 2C:35-5B(2)	3) 2C:29-2A(1)
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____
Probation Term	Susp. Imp _____	Susp. Imp _____	Susp. Imp _____
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution Beneficiary: _____			

<p>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</p> <p>Related Traffic Tickets and Complaints:</p>	<p style="text-align: center;">* Finding Codes</p> <ul style="list-style-type: none"> 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID
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COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V. OMAR E VEGA-LARREGUI
1111	W	2019	003689	
<small>COURT CODE</small>	<small>PREFIX</small>	<small>YEAR</small>	<small>SEQUENCE NO.</small>	

FTA Bail Information		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
-----------------------------	--	----------------------	-------------------------------------	---

<small>Released on Bail (v)</small>	<small>R.O.R.</small>	<small>Committed Default</small>	<small>Committed w/o Bail</small>	<small>Place Committed:</small> _____	<small>Date Referred to County Prosecutor:</small> _____
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<small>Date of First Appearance:</small> _____	<input type="checkbox"/> <small>Advised of Rights by</small> _____	<small>Defendant Desires Counsel:</small> <input type="checkbox"/> Yes <input type="checkbox"/> No
--	--	---

Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
<small>State</small>	<small>County</small>	<small>Municipal</small>	<small>Other</small>	<small>None</small>	<small>Retained</small>	<small>Public Def</small>	<small>Assigned</small>	<small>Waived</small>	<small>Other</small>

<small>Original Charge</small>	4) 2C:29-1A	5) 2C:35-7.1A	
<small>Amended Charge</small>			
<small>Waiver Indt/Jury</small>			
<small>Plea/Date of Plea</small>	<small>Plea:</small> _____ <small>Date:</small> _____	<small>Plea:</small> _____ <small>Date:</small> _____	<small>Plea:</small> _____ <small>Date:</small> _____
<small>Adjudication (* see code)</small>	<small>Finding Code:</small> _____ <small>Date:</small> _____	<small>Finding Code:</small> _____ <small>Date:</small> _____	<small>Finding Code:</small> _____ <small>Date:</small> _____
<small>Jail Term</small>	<small>Jail time credit</small> _____ <small>Susp. Imp</small> _____	<small>Jail time credit</small> _____ <small>Susp. Imp</small> _____	<small>Jail time credit</small> _____ <small>Susp. Imp</small> _____
<small>Probation Term</small>	<small>Susp. Imp</small> _____	<small>Susp. Imp</small> _____	<small>Susp. Imp</small> _____
<small>Cond. Discharge Term</small>			
<small>Community Service</small>			
<small>D/L Suspension Term</small>			
<small>Fines/Costs</small>	<small>Fines:</small> _____ <small>Costs:</small> _____	<small>Fines:</small> _____ <small>Costs:</small> _____	<small>Fines:</small> _____ <small>Costs:</small> _____
<small>VCCB/SNSF</small>	<small>VCCB:</small> _____ <small>SNSF:</small> _____	<small>VCCB:</small> _____ <small>SNSF:</small> _____	<small>VCCB:</small> _____ <small>SNSF:</small> _____
<small>DEDR/Lab Fee</small>	<small>DEDR:</small> _____ <small>LAB:</small> _____	<small>DEDR:</small> _____ <small>LAB:</small> _____	<small>DEDR:</small> _____ <small>LAB:</small> _____
<small>CD Fee/Drug Ed Fnd</small>	<small>CD:</small> _____ <small>DAEF:</small> _____	<small>CD:</small> _____ <small>DAEF:</small> _____	<small>CD:</small> _____ <small>DAEF:</small> _____
<small>DV Surch/Other Fees</small>	<small>DV:</small> _____ <small>Other:</small> _____	<small>DV:</small> _____ <small>Other:</small> _____	<small>DV:</small> _____ <small>Other:</small> _____
<small>Restitution Beneficiary:</small> _____			

<p>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</p> <p>Related Traffic Tickets and Complaints:</p>	<p style="text-align: center;">* Finding Codes</p> <ul style="list-style-type: none"> 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P – Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID
--	--

COMPLAINT - WARRANT

COMPLAINT NUMBER

1111**W****2019****003689**

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TRENTON MUNICIPAL COURT
225 N CLINTON AVE
TRENTON NJ 08607-0000
609-989-3700 COUNTY OF: **MERCER**

ADDRESS:

544 PROSPECT AVE**MORRISVILLE****PA 19067-0000***THE STATE OF NEW JERSEY**VS.***OMAR E VEGA-LARREGUI**# of CHARGES: **5** CO-DEFTS: POLICE CASE #: **19010327**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: **01/03/1977**

DRIVER'S LIC. #:

DL STATE:

COMPLAINANT

NAME: **STEPHEN SZBANZ**

SOCIAL SECURITY #: [REDACTED]

SBI #: [REDACTED]

TELEPHONE #:

LIVESCAN PCN #: [REDACTED]

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **08/22/2019** in **TRENTON CITY**, **MERCER** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, WHILE IN FRONT OF 46 TURPIN STREET DID KNOWINGLY AND PURPOSEFULLY VIOLATE THE FOLLOWING:

CHARGE #1: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT: (COCAINE) IN VIOLATION OF NJS 2C:35-10A(1)
3RD DEGREE

CHARGE #2: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT: (COCAINE OVER 1/2 OZ) WITH THE INTENT TO DISTRIBUTE SAME IN VIOLATION OF NJS 2C:35-5B(2)
2ND DEGREE

CHARGE #3: DID RESIST A LAWFUL ARREST BY FAILING TO PLACE HIS HANDS BEHIND HIS BACK IN VIOLATION OF NJS 2C:29-2A(1)
DP

in violation of:

Original Charge	1) 2C:35-10A(1)	2) 2C:35-5B(2)	3) 2C:29-2A(1)
Amended Charge			

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

Signed: **STEPHEN SZBANZ**Date: **08/22/2019**

You will be notified of your **Central First Appearance/CJP** date to be held at the Superior Court in the county of **MERCER** at the following address: **MERCER COUNTY SUPERIOR CT**
400 SOUTH WARREN ST. **TRENTON NJ 08650-0000**
Date of Arrest: **08/22/2019** Appearance Date: Time: Phone: **609-571-4000**

PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT Probable cause **IS NOT** found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator

Date

Signature of Judge

Date

 Probable cause **IS** found for the issuance of this complaint. **LOURDES COSME JUDICIAL OFFICER** **08/22/2019**

Signature and Title of Judicial Officer Issuing Warrant

Date

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

Bail Amount Set: by:

(if different from judicial officer that issued warrant)

 Domestic Violence – Confidential **Related Traffic Tickets or Other Complaints** **Serious Personal Injury/ Death Involved****Special conditions of release:**

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

COMPLAINT - WARRANT (DEFENDANT'S COPY)**Page 5 of 10**

NJ/CDR2 1/1/2017

COMPLAINT - WARRANT

COMPLAINT NUMBER

1111

W

2019

003689

STATE V.

OMAR E VEGA-LARREGUI

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

CHARGE #4: DID OBSTRUCT THE ADMINISTRATION OF LAW BY FAILING TO COMPLY WITH DETECTIVE'S ORDERS DURING THE COURSE OF A LAWFUL INVESTIGATION IN VIOLATION OF NJS 2C:29-1

***DP**

CHARGE #5: DID POSSESS A CONTROLLED DANGEROUS SUBSTANCE TO WIT:(COCAINE) WITH THE INTENT TO DISTRIBUTE SAME WITHIN 500' OF A PARK IN VIOLATION OF NJS 2C:35-7.1A

2ND DEGREE

Original Charge	4) 2C:29-1A	5) 2C:35-7.1A	
Amended Charge			

COMPLAINT - WARRANT (DEFENDANT'S COPY)

Page 6 of 10

NJ/CDR2 1/1/2017

COMMITMENT

COMPLAINT NUMBER

1111 **W** **2019** **003689**

COURT CODE PREFIX YEAR SEQUENCE NO.

TRENTON MUNICIPAL COURT
225 N CLINTON AVE
TRENTON NJ 08607-0000
609-989-3700 COUNTY OF: **MERCER**

of CHARGES CO-DEFTS POLICE CASE #:
5 **19010327**

COMPLAINANT **STEPHEN SZBANZ**
NAME: **225 NO CLINTON AVE**
ATTN: WARRANTS
TRENTON NJ 08607

THE STATE OF NEW JERSEY

VS.

OMAR E VEGA-LARREGUI

ADDRESS: **544 PROSPECT AVE**
MORRISVILLE PA 19067-0000

DEFENDANT INFORMATION
SEX: **M** EYE COLOR: **BROWN** DOB: **01/03/1977**
DRIVER'S LIC. #. DL STATE:
SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED]
TELEPHONE #: ()
LIVESCAN PCN #: [REDACTED]

To any Law Enforcement Official of New Jersey, You are commanded to transport this defendant to the Warden of this county who is required to keep the defendant in custody until a release or detention decision is made.

Offense	Aux Offense	Drug Code	Degree	Offense Description
1. <u>2C:35-10A(1)</u>		<u>09</u>	<u>3</u>	<u>POSS CDS/ANALOG</u>
2. <u>2C:35-5B(2)</u>		<u>09</u>	<u>2</u>	<u>CDS - MANU/DIST</u>
3. <u>2C:29-2A(1)</u>			<u>D</u>	<u>RESIST ARR/ELUD</u>
4. <u>2C:29-1A</u>			<u>D</u>	<u>OBSTRUCT ADMIN</u>

Commitment Reason: **Criminal Justice Reform**

You will be notified of your **Central First Appearance/CJP** date to be held at the **Superior Court** in the county of **MERCER**
at the following address: **MERCER COUNTY SUPERIOR CT**
400 SOUTH WARREN ST. **TRENTON NJ 08650-0000**

Date of Arrest: **08/22/2019**

Phone: **609-571-4000**

LOURDES COSME JUDICIAL OFFICER

08/22/2019

Signature and Title of Judicial Officer Issuing Warrant

Date

COMMITMENT

Affidavit of Probable Cause

COMPLAINT NUMBER			
1111	W	2019	003689
COURT CODE	PREFIX	YEAR	SEQUENCE NO.

TRENTON MUNICIPAL COURT
225 N CLINTON AVE
TRENTON NJ 08607-0000
609-989-3700 COUNTY OF: **MERCER**

# of CHARGES 5	CO-DEFTS	POLICE CASE #: 19010327
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COMPLAINANT **STEPHEN SZBANZ**
 NAME: **225 NO CLINTON AVE**
ATTN: WARRANTS
TRENTON NJ 08607

THE STATE OF NEW JERSEY
VS.
OMAR E VEGA-LARREGUI

ADDRESS: **544 PROSPECT AVE**
MORRISVILLE PA 19067-0000

DEFENDANT INFORMATION
 SEX: **M** EYE COLOR: **BROWN** DOB: **01/03/1977**
 DRIVER'S LIC. #. DL STATE:
 SOCIAL SECURITY #: [REDACTED] SBI #: [REDACTED]
 TELEPHONE #: ()
 LIVESCAN PCN # [REDACTED]

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

On Thursday August 22, 2019 at approximately 1752 hours I (Szbanz) was investigating a parking violation in front of 46 Turpin Street. Vega-Larregui was on scene and advised the undersigned that he had parked the vehicle on the sidewalk and blocked the driveway/garage. Vega-Larregui opened the passenger door of the vehicle to retrieve the registration and insurance card. While attempting to locate his documents he appeared extremely nervous as his hands were shaking. After a few minutes of looking around the interior compartment of the vehicle and reaching underneath the seats and opening several compartments I advised him to stop reaching inside the vehicle. He refused to comply with my lawful commands and began to reach toward the driver's seat. It was at this time I observed suspected CDS (Cocaine) on the floorboard in front of the driver's seat in plain view. I advised Vega-Larregui he was under arrest and to step out of the vehicle. He again refused to comply with my orders and tensed his body preventing me from pulling him from the vehicle. After a brief struggle he was placed under arrest. The item recovered was approximately thirty one (31) grams (over 1/2oz) of suspected CDS (Cocaine). The amount of suspected CDS (Cocaine) was a distributable amount and was within 500' of the Juan Martinez Memorial Park.

Affidavit of Probable Cause

COMPLAINT NUMBER

1111

W

2019

003689

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

OMAR E VEGA-LARREGUI

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

I am the investigating officer and was on scene.

3. If victim was injured, provide the extent of the injury:

Certification:

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

Signed: STEPHEN SZBANZ LAW ENFORCEMENT OFFICER

Date: 08/22/2019

Affidavit of Probable Cause

Page 9 of 10

1/1/2017

Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER

1111

W

2019

003689

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

TRENTON MUNICIPAL COURT
225 N CLINTON AVE
TRENTON NJ 08607-0000
609-989-3700 COUNTY OF: MERCER

of CHARGES: 5
CO-DEFTS: [blank]
POLICE CASE #: 19010327

COMPLAINANT NAME: STEPHEN SZBANZ
225 NO CLINTON AVE
ATTN: WARRANTS
TRENTON NJ 08607

THE STATE OF NEW JERSEY

VS.

OMAR E VEGA-LARREGUI

ADDRESS: 544 PROSPECT AVE
MORRISVILLE PA 19067-0000

DEFENDANT INFORMATION
SEX: M EYE COLOR: BROWN DOB: 01/03/1977
DRIVER'S LIC. # [redacted] DL STATE: [redacted]
SOCIAL SECURITY #: [redacted] SBI #: [redacted]
TELEPHONE #: [redacted] ()
LIVESCAN PCN #: [redacted]

Purpose: The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

Certification:

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

Signed: _____ Date: _____

Preliminary Law Enforcement Incident Report

Page 10 of 10

7/20/2018

BENCH WARRANT BAIL INFORMATION

Failed to Appear Date: / /
 Warrant Date: / / Ordered by: _____
 (Signature and title of person issuing warrant)
 Bail Amount \$ _____ Set by: _____
 (Signature and title of person setting bail)
 Forfeited Return Reinstated / /
 (Date) (Signature of Judge)

FIRST APPEARANCE, ARRAIGNMENT AND COUNSEL INFORMATION

First Appearance Date: / / Arraignment Date: / /
 Advised of Rights: By: _____ Defendant Desires Counsel: Yes No
 Counsel assigned: Y N _____
 (If yes, name of counsel)
 Counsel retained: Y N _____
 (If yes, name of counsel)
 Counsel waived: Y N _____
 (If yes, name of Judge accepting waiver)
 Name of Prosecuting Attorney: _____
 Affiliation: Municipal County State Other (list) _____

MISCELLANEOUS INFORMATION

Additional Information and Judge's Notes:

Adjournment Requested By	Reason	To

See Attached sheet for additional Judge's notes or other information.

COURT ACTION

Complaint Amended to:

Plea: Guilty Not Guilty Date: / /
 Finding Date: / /
 Guilty Guilty but Merged Not Guilty
 If Guilty, Advised of Right to Appeal

Dismissed - Plea Agreement Dismissed - Lack of Prosecution Dismissed - False ID
 Dismissed - Pros. Discretion Dismissed - Rule Dismissed - Other
 Fine \$ _____ Costs \$ _____ Contempt \$ _____
 VCCB \$ _____ DWI \$ _____ SNSF \$ _____
 D.A.E.F. \$ _____ Other \$ _____ Total \$ _____

Period of D.L. Suspension: _____
 IDRC: _____ Comm. Serv.: _____
 Ignition Interlock _____ years OR Registration Susp. _____ years
 Jail Term/Jail Credit: _____ Credit For: _____

Signature of Judge: _____ Date: / /
 Court's Copy

COURT I.D. PREFIX TICKET NUMBER
1111-RR-033841 TRENTON MUNICIPAL COURT
 225 No. Clinton Ave.
 Trenton, NJ 08609
 COURT'S ORIGINAL COPY

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

DRIVER'S LICENSE NUMBER: _____
 EXP. DATE: 1/21 STATE: PA Commercial License

THE UNDERSIGNED CERTIFIES THAT

Name: OMAR E. VEGA-LARREGUI
 Address: 544 PROSPECT ST
 City: MORRISVILLE State: PA Zip Code: 19067 Telephone: _____
 Birth Date: 1-3-77 Eyes: BRN Sex: M Weight: _____ Height: _____ Restrictions: _____

DID UNLAWFULLY (PARK) OPERATE) A

Make of Vehicle: GMC Year: 13 Body Type: TRUCK Color: BLU Commercial Vehicle
 Omnibus Hazardous Material Out of Service
 Lic. Plate No.: ZSA-7852 State: PA Exp. Date: 8/19
 OFFENSE DATE: Month 8 Day 22 Year 2019 Time 5:52 AM/PM
 LOCATION OF OFFENSE: _____ Describe Location: 46 TURPIN ST

Municipality: TRENTON County: MERCER Mun. Code (Offense): 11111

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

TRAFFIC OFFENSES - (check one) - TITLE 39:
 3-4 Unregistered vehicle 4-85 Improper passing
 3-29 Failure to exhibit documents 4-97 Careless driving
 D.L. or REG or INS 4-124 Failure to turn
 3-33 Unclear plates 4-144 Failure to stop or yield
 3-66 Maintenance of lamps 8-1 Failure to inspect
 3-76.2f Failure to wear seatbelt 8-4 Failure to make repairs
 4-81 Failure to observe signal 4-98 Speeding _____ MPH in a _____ MPH zone
IN EXCESS OF SPEED LIMIT BY:
 1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH
 65 MPH Zone Safe Corridor Construction Zone

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE
 Overtime Meter No. Prohibited Area Double
OTHER TRAFFIC/PARKING OFFENSE (Describe)
CDS IN MV
 Statute No. 39-4-49.1 Ordinance / Code No. _____

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT ON THIS COURT CHARGING YOU WITH THAT OFFENSE.
 Signature of Complaining Witness: _____ Officer's ID No. 5855
 Month 8 Day 22 Year 19

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED COURT DATE: Month 8 Day 13 Year 19 Time 8:30 AM/PM
 Accident Property Damage Personal Injury Death/Serious Bodily Injury
 CONDITIONS: AREA: Business School Residential Rural
 ROAD: Dry Wet Snow Ice
 TRAFFIC: Light Medium Heavy
 VISIBILITY: Clear Rain Snow Fog
 Equipment: Helicopter Pace Speed Measurement Device EBTD
 Equipment Operator's Name: _____ Operator ID No. _____ Unit Code _____

Court's Original Copy

UTT-1 10-17-06 (rev 1/9/07)

BENCH WARRANT BAIL INFORMATION

Failed to Appear Date: / /
Warrant Date: / / Ordered by: _____
(Signature and title of person issuing warrant)
Bail Amount \$ _____ Set by: _____
(Signature and title of person setting bail)
 Forfeited Return Reinstated _____
(Date) (Signature of Judge)

FIRST APPEARANCE, ARRAIGNMENT AND COUNSEL INFORMATION

First Appearance Date: / / Arraignment Date: / /
 Advised of Rights: By: _____ Defendant Desires Counsel: Yes No
Counsel assigned: Y N _____
(If yes, name of counsel)
Counsel retained: Y N _____
(If yes, name of counsel)
Counsel waived: Y N _____
(If yes, name of Judge accepting waiver)
Name of Prosecuting Attorney: _____
Affiliation: Municipal County State Other (list) _____

MISCELLANEOUS INFORMATION

Additional Information and Judge's Notes:

Adjournment Requested By	Reason	To

See Attached sheet for additional Judge's notes or other information.

COURT ACTION

Complaint Amended to:

Plea: Guilty Not Guilty Date: / /
Finding Date: / /
 Guilty Guilty but Merged Not Guilty
 If Guilty, Advised of Right to Appeal
 Dismissed - Plea Agreement Dismissed - Lack of Prosecution Dismissed - False ID
 Dismissed - Pros. Discretion Dismissed - Rule Dismissed - Other
Fine \$ _____ Costs \$ _____ Contempt \$ _____
VCCB \$ _____ DWI \$ _____ SNSF \$ _____
D.A.E.F. \$ _____ Other \$ _____ Total \$ _____
Period of D.L. Suspension: _____
IDRC: _____ Comm. Serv.: _____
Ignition Interlock _____ years OR Registration Susp. _____ years
Jail Term/Jail Credit: _____ Credit For: _____

Signature of Judge: _____ Date: / /
Court's Copy

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

DRIVER'S LICENSE NUMBER: _____
EXP. DATE: 7/21 STATE: PA Commercial License

THE UNDERSIGNED CERTIFIES THAT

Name: **OMAR E VEGA-LARREGUI** (Please Print)
Address: **544 PROSPECT ST**
City: **MORRISVILLE** State: **PA** Zip Code: **17064** Telephone: _____
Birth Date: **1-3-77** Eyes: _____ Sex: **M** Weight: _____ Height: _____ Restrictions: _____

DID UNLAWFULLY PARK (OPERATE) A

Make of Vehicle: **GMC** Year: **13** Body Type: **TRUCK** Color: **Bl** Commercial Vehicle
Lic. Plate No: **ESA-7850** State: **PA** Exp. Date: **8/19** Omnibus
 Hazardous Material Out of Service

OFFENSE DATE: Month **8** Day **22** Year **2019** Time **5:52** AM/PM

LOCATION OF OFFENSE: **Flt 46 TORPIN ST**
Municipality: **TRENTON** County: **MERCER** Mun. Code: **1111** (Offense)

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

- TRAFFIC OFFENSES - (check one) - TITLE 39:**
- 3-4 Unregistered vehicle
 - 3-29 Failure to exhibit documents D.L. or REG or VINS
 - 3-33 Unclear plates
 - 3-66 Maintenance of lamps
 - 3-76.2f Failure to wear seatbelt
 - 4-81 Failure to observe signal
 - 4-85 Improper passing
 - 4-97 Careless driving
 - 4-124 Failure to turn
 - 4-144 Failure to stop or yield
 - 8-1 Failure to inspect
 - 8-4 Failure to make repairs
- 4-98 Speeding _____ MPH in a _____ MPH zone
IN EXCESS OF SPEED LIMIT BY:
 1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH
 65 MPH Zone Safe Corridor Construction Zone

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE

Overtime Meter No. Prohibited Area Double
OTHER TRAFFIC/PARKING OFFENSE (Describe)

FAILURE TO EXHIBIT DOCUMENT
Statute No. **39-3-29** Ordinance / Code No. _____

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE

FOUNDATIONS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT ON THIS COURT CHARGING YOU WITH THAT OFFENSE
Month **8** Day **22** Year **19**
Signature of Complaining Witness: _____ Officer's ID No. **5855**

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED **COURT DATE** Month **8** Day **23** Year **19** Time **8:30** AM/PM

Accident Property Damage Personal Injury Death/Serious Bodily Injury
CONDITIONS: AREA: Business School Residential Rural
ROAD: Dry Wet Snow Ice
TRAFFIC: Light Medium Heavy
VISIBILITY: Clear Rain Snow Fog

Equipment: Helicopter Pace Speed Measurement Device EBTD
Equipment Operator's Name: _____ Operator ID No. _____ Unit Code _____

Failed to Appear Date: / /
 Warrant Date: / / Ordered by: _____
 (Signature and title of person issuing warrant)
 Bail Amount \$ _____ Set by: _____
 (Signature and title of person setting bail)
 Forfeited Return Reinstated _____
 (Date) (Signature of Judge)

FIRST APPEARANCE, ARRAIGNMENT AND COUNSEL INFORMATION

First Appearance Date: / / Arraignment Date: / /
 Advised of Rights: By: _____ Defendant Desires Counsel: Yes No
 Counsel assigned: Y N _____
 (If yes, name of counsel)
 Counsel retained: Y N _____
 (If yes, name of counsel)
 Counsel waived: Y N _____
 (If yes, name of Judge accepting waiver)
 Name of Prosecuting Attorney: _____

MISCELLANEOUS INFORMATION

Additional Information and Judge's Notes: _____

Adjournment Requested By	Reason	To

See Attached sheet for additional Judge's notes or other information.

COURT ACTION

Complaint Amended to: _____
 Plea: Guilty Not Guilty Date: / /
 Finding Date: / /
 Guilty Guilty but Merged Not Guilty
 If Guilty, Advised of Right to Appeal
 Dismissed - Plea Agreement Dismissed - Lack of Prosecution Dismissed - False ID
 Dismissed - Pros. Discretion Dismissed - Rule Dismissed - Other
 Fine \$ _____ Costs \$ _____ Contempt \$ _____
 VCCB \$ _____ DWI \$ _____ SNSF \$ _____
 D.A.E.F. \$ _____ Other \$ _____ Total \$ _____
 Period of D.L. Suspension: _____
 IDRC: _____ Comm. Serv.: _____
 Ignition Interlock _____ years OR Registration Susp. _____ years
 Jail Term/Jail Credit: _____ Credit For: _____

Signature of Judge: _____ Date: / /
 Court's Copy

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

DRIVER'S LICENSE NUMBER: _____
 EXP. DATE: 7/21 STATE: PA Commercial License

THE UNDERSIGNED CERTIFIES THAT

Name: **OMAR E. VEGA - LARREGUI**
 Address: **544 Prospect St**
 City: **Morrisville** State: **PA** Zip Code: **17067** Telephone: _____
 Birth Date: **1-3-77** Eyes: **M** Sex: **M** Weight: _____ Height: _____ Restrictions: _____

DID UNLAWFULLY (PARK) OPERATE) A

Make of Vehicle: **GMC** Year: **13** Body Type: **TRUCK** Color: **S.1**
 Lic. Plate No.: **ZJA-7852** State: **PA** Exp. Date: **8/19**
 Commercial Vehicle Omnibus Hazardous Material Out of Service

OFFENSE: Month **8** Day **22** Year **2019** Time **5:52** AM/PM

LOCATION OF OFFENSE: **460 460 460** Describe Location: **46 TURPIN ST**
 Municipality: **TRENTON** County: **MERCER** Mun. Code (Offense): **1111**

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

- TRAFFIC OFFENSES - (check one) - TITLE 39:**
- 3-4 Unregistered vehicle
 - 3-29 Failure to exhibit documents D.L. or REG or INS
 - 3-33 Unclear plates
 - 3-66 Maintenance of lamps
 - 3-76.2f Failure to wear seatbelt
 - 4-81 Failure to observe signal
 - 4-85 Improper passing
 - 4-97 Careless driving
 - 4-124 Failure to turn
 - 4-144 Failure to stop or yield
 - 8-1 Failure to inspect
 - 8-4 Failure to make repairs
 - 4-98 Speeding _____ MPH in a _____ MPH zone
- IN EXCESS OF SPEED LIMIT BY:**
 1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH
 65 MPH Zone Safe Corridor Construction Zone

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE
 Overtime Meter No. Prohibited Area Double

OTHER TRAFFIC/PARKING OFFENSE (Describe)
PARKED ON SIDEWALK
 Statute No. **39-138f** Ordinance / Code No. _____

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT ON THIS COURT CHARGING YOU WITH THAT OFFENSE

Signature of Complaining Witness: _____ Officer's ID No. **5855**

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED **COURT DATE** Month **9** Day **13** Year **19** Time **8:30** AM/PM
 Accident Property Damage Personal Injury Death/Serious Bodily Injury

CONDITIONS
 AREA: Business School Residential Rural
 ROAD: Dry Wet Snow Ice
 TRAFFIC: Light Medium Heavy
 VISIBILITY: Clear Rain Snow Fog

Equipment: Helicopter Pace Speed Measurement Device EBTD
 Equipment Operator's Name: _____ Operator ID No. _____ Unit Code _____

BENCH WARRANT BAIL INFORMATION

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

DRIVER'S LICENSE NUMBER [REDACTED] EXP. DATE 1/21 STATE PA Commercial License

THE UNDERSIGNED CERTIFIES THAT

Name **OMAR E. VEGA - LARREGUI** (Please Print)
Address **544 PROSPECT ST**
City **MORRISVILLE** State **PA** Zip Code **17067** Telephone
Birth Date **1-3-77** Eyes **M** Sex **M** Weight **160** Height **5-10** Restrictions

DID UNLAWFULLY (PARK) (OPERATE) A

Make of Vehicle **GMC** Year **13** Body Type **TRUCK** Color **SL** Commercial Vehicle
Lic. Plate No. **2JA-785D** State **PA** Exp. Date **8/19** Omnibus
 Hazardous Material Out of Service

OFFENSE DATE Month **8** Day **22** Year **2019** Time **5:52** AM/PM
LOCATION OF OFFENSE **88 HO TURPIN ST** Describe Location

Municipality **TRENTON** County **MERCER** Mun. Code (Offense) **1111**

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

- TRAFFIC OFFENSES - (check one) - TITLE 39:**
 3-4 Unregistered vehicle 4-85 Improper passing
 3-29 Failure to exhibit documents 4-97 Careless driving
 D.L. or REG or INS 4-124 Failure to turn
 3-33 Unclear plates 4-144 Failure to stop or yield
 3-66 Maintenance of lamps 8-1 Failure to inspect
 3-76.2f Failure to wear seatbelt 8-4 Failure to make repairs
 4-81 Failure to observe signal 4-98 Speeding _____ MPH in a _____ MPH zone

- IN EXCESS OF SPEED LIMIT BY:**
 1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH
 65 MPH Zone Safe Corridor Construction Zone

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE
 Overtime Meter No. Prohibited Area Double

OTHER TRAFFIC/PARKING OFFENSE (Describe)
PARKED IN FRONT OF PRIVATE DRIVEWAY
Statute No. **39:138d** Ordinance / Code No.

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT ON THIS COURT CHARGING YOU WITH THAT OFFENSE
Month **8** Day **22** Year **19**
Signature of Complaining Witness _____ Officer's ID No. **5855**

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED **COURT DATE** Month **9** Day **13** Year **19** Time **8:30** PM

Accident Property Damage Personal Injury Death/Serious Bodily Injury
CONDITIONS
AREA Business School Residential Rural
ROAD Dry Wet Snow Ice
TRAFFIC Light Medium Heavy
VISIBILITY Clear Rain Snow Fog

Equipment Helicopter Pace Speed Measurement Device EBTD
Equipment Operator's Name _____ Operator ID No. _____ Unit Code _____

Failed to Appear Date ____/____/____
Warrant Date ____/____/____ Ordered by: _____
(Signature and title of person issuing warrant)
Bail Amount \$ _____ Set by: _____
(Signature and title of person setting bail)
 Forfeited Return Reinstated
(Date) (Signature of Judge)

FIRST APPEARANCE, ARRAIGNMENT AND COUNSEL INFORMATION

First Appearance Date: ____/____/____ Arraignment Date: ____/____/____

Advised of Rights: By: _____ Defendant Desires Counsel: Yes No

Counsel assigned: Y N (If yes, name of counsel)

Counsel retained: Y N (If yes, name of counsel)

Counsel waived: Y N (If yes, name of Judge accepting waiver)

Name of Prosecuting Attorney: _____

Affiliation: Municipal County State Other (list) _____

MISCELLANEOUS INFORMATION

Additional Information and Judge's Notes:

Adjournment Requested By	Reason	To

See Attached sheet for additional Judge's notes or other information.

COURT ACTION

Complaint Amended to:

Plea: Guilty Not Guilty Date: ____/____/____

Finding Date: ____/____/____
 Guilty Guilty but Merged Not Guilty

If Guilty, Advised of Right to Appeal

Dismissed - Plea Agreement Dismissed - Lack of Prosecution Dismissed - False ID

Dismissed - Pros. Discretion Dismissed - Rule Dismissed - Other

Fine \$ _____ Costs \$ _____ Contempt \$ _____

VCCB \$ _____ DWI \$ _____ SNSF \$ _____

D.A.E.F. \$ _____ Other \$ _____ Total \$ _____

Period of D.L. Suspension: _____

IDRC: _____ Comm. Serv.: _____

Ignition Interlock _____ years OR Registration Susp. _____ years

Jail Term/Jail Credit: _____ Credit For: _____

Signature of Judge: _____ Date: ____/____/____
Court's Copy

Failed to Appear Date: / /
Warrant Date: / / Ordered by: _____
(Signature and title of person issuing warrant)
Bail Amount \$ _____ Set by: _____
(Signature and title of person setting bail)
 Forfeited Return Reinstated / /
(Date) (Signature of Judge)

FIRST APPEARANCE, ARRAIGNMENT AND COUNSEL INFORMATION

First Appearance Date: / / Arraignment Date: / /
 Advised of Rights: By: _____ Defendant Desires Counsel: Yes No
Counsel assigned: Y N _____
(If yes, name of counsel)
Counsel retained: Y N _____
(If yes, name of counsel)
Counsel waived: Y N _____
(If yes, name of Judge accepting waiver)
Name of Prosecuting Attorney: _____
Affiliation: Municipal County State Other (list) _____

MISCELLANEOUS INFORMATION

Additional Information and Judge's Notes:

Adjournment Requested By	Reason	To
		/ /
		/ /

 See Attached sheet for additional Judge's notes or other information.

COURT ACTION

Complaint Amended to:
Plea: Guilty Not Guilty Date: / /
Finding Date: / /
 Guilty Guilty but Merged Not Guilty
 If Guilty, Advised of Right to Appeal
 Dismissed - Plea Agreement Dismissed - Lack of Prosecution Dismissed - False ID
 Dismissed - Pros. Discretion Dismissed - Rule Dismissed - Other
Fine \$ _____ Costs \$ _____ Contempt \$ _____
VCCB \$ _____ DWI \$ _____ SNSF \$ _____
D.A.E.F. \$ _____ Other \$ _____ Total \$ _____
Period of D.L. Suspension: _____
IDRC: _____ Comm. Serv.: _____
Ignition Interlock _____ years OR Registration Susp. _____ years
Jail Term/Jail Credit: _____ Credit For: _____

Signature of Judge: _____ Date: / /
Court's Copy

YOU ARE HEREBY SUMMONED TO APPEAR BEFORE THIS COURT TO ANSWER THIS COMPLAINT CHARGING YOU WITH THE OFFENSE LISTED:

DRIVER'S LICENSE NUMBER: _____
EXP. DATE: 1/21 STATE: PA Commercial License

THE UNDERSIGNED CERTIFIES THAT

Name: CHAR E. VEGA-LARREGUI (Please Print)
Address: 544 PROSPECT ST
City: MORRISVILLE State: PA Zip Code: 17067 Telephone: _____
Blood No: 2518992 Eyes: MO Sex: M Weight: _____ Height: _____ Restrictions: _____

DID UNLAWFULLY (PART) OPERATE A

Make of Vehicle: GM Year: 13 Body Type: TRUCK Color: 3.11
Lic. Plate No: 2SA-7852 State: PA Exp. Date: 8/19
 Commercial Vehicle Omnibus Hazardous Material Out of Service

OFFENSE DATE: Month 8 Day 22 Year 2019 Time Hour 5:52 AM/PM AM
LOCATION OF OFFENSE: TP 46 TURPIN Describe Location: _____
Municipality: TRENTON County: MERCER Mun. Code (Offense): 2011

AND DID THEN AND THERE COMMIT THE FOLLOWING OFFENSE (ONE CHARGE PER COMPLAINT)

- TRAFFIC OFFENSES - (check one) - TITLE 39:
- 3-4 Unregistered vehicle
 - 3-29 Failure to exhibit documents
 D.L. or REG or INS
 - 3-33 Unclear plates
 - 3-66 Maintenance of lamps
 - 3-76.21 Failure to wear seatbelt
 - 4-81 Failure to observe signal
 - 4-98 Speeding _____ MPH in a _____ MPH zone
 - 4-85 Improper passing
 - 4-97 Careless driving
 - 4-124 Failure to turn
 - 4-144 Failure to stop or yield
 - 8-1 Failure to inspect
 - 8-4 Failure to make repairs
- IN EXCESS OF SPEED LIMIT BY:
 1-9 MPH 10-14 MPH 15-19 MPH 20-24 MPH 25-29 MPH 30-34 MPH
 65 MPH Zone Safe Corridor Construction Zone

PENALTY SCHEDULE ON REVERSE

PARKING OFFENSE
 Overtime Meter No. Prohibited Area Double
OTHER TRAFFIC/PARKING OFFENSE (Describe):
FAILURE TO EXHIBIT DOCUMENTS!
Statute No. 39:3-29 Ordinance / Code No. _____

THE UNDERSIGNED FURTHER STATES THAT THERE ARE JUST AND REASONABLE GROUNDS TO BELIEVE THAT YOU COMMITTED THE ABOVE OFFENSE AND WILL FILE THIS COMPLAINT ON THIS COURT CHARGING YOU WITH THAT OFFENSE
Month 8 Day 22 Year 19
Signature of Complaining Witness: _____ Officer's ID No. 5855

NOTICE TO APPEAR

COURT APPEARANCE REQUIRED COURT DATE: Month 9 Day 13 Year 19 Time Hour 8:30 PM
 Accident Property Damage Personal Injury Death/Serious Bodily Injury
CONDITIONS: AREA _____ Business _____ School _____ Residential _____ Rural _____
ROAD _____ Dry _____ Wet _____ Snow _____ Ice _____
TRAFFIC _____ Light _____ Medium _____ Heavy _____
VISIBILITY _____ Clear _____ Rain _____ Snow _____ Fog _____

Equipment: Helicopter Pace Speed Measurement Device EBTD
Equipment Operator's Name: _____ Operator ID No. _____ Unit Code _____

MERCER COUNTY PROSECUTOR
MERCER COUNTY COURT HOUSE
TRENTON, NEW JERSEY
TELEPHONE (609) 989-6305

SUPERIOR COURT OF NEW JERSEY
MERCER COUNTY
LAW DIVISION – CRIMINAL

FILE NO. 19-2952

INDICTMENT NO.: 20-07-0221I

THE STATE OF NEW JERSEY

STATED SESSION: February 2020

TERM: July 2020

Plaintiff,

v.

OMAR VEGA-LARREGUI,

Defendant.

FILED

JUL 09 2020

**SUPERIOR COURT OF NJ
MERCER VICINAGE
CRIMINAL DIVISION**

COUNT I POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE
(THIRD DEGREE)

The Grand Jurors of the State of New Jersey, for the County of Mercer, upon their oaths, present that OMAR VEGA-LARREGUI on or about the 22nd day of August, 2019, in the City of Trenton, in the County aforesaid, and within the jurisdiction of this Court, did knowingly or purposely possess, actually or constructively, a controlled dangerous substance, to wit: cocaine, contrary to the provisions of N.J.S.A. 2C:35-10(a)(1), and against the peace of this State, the Government and dignity of the same.

COUNT II POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE WITH
INTENT TO DISTRIBUTE
(SECOND DEGREE)

The Grand Jurors of the State of New Jersey, for the County of Mercer, upon their oaths, present that OMAR VEGA-LARREGUI on or about the 22nd day of August, 2019, in the City of Trenton, in the County aforesaid, and within the jurisdiction of this Court, did knowingly or purposely possess or have under his control with intent to distribute a controlled dangerous substance, to wit: cocaine, in a quantity of one-half ounce or more but less than five ounces, including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5(a)(1) and N.J.S.A. 2C:35-5(b)(2), and against the peace of this State, the Government and dignity of the same.

FILED
JUL 09 2019
SUPERIOR COURT
MERCER VICINAGE
CRIMINAL

COUNT III POSSESSION OF A CONTROLLED DANGEROUS SUBSTANCE WITH
INTENT TO DISTRIBUTE ON OR NEAR A PUBLIC FACILITY
(SECOND DEGREE)

The Grand Jurors of the State of New Jersey, for the County of Mercer, upon their oaths, present that OMAR VEGA-LARREGUI on or about the 22nd day of August, 2019, in the City of Trenton, in the County aforesaid, and within the jurisdiction of this Court, did, within five hundred feet of a public park, namely, Juan Martinez Memorial Park, Trenton, New Jersey, knowingly or purposely possess or have under his control with intent to distribute a controlled dangerous substance, to wit: cocaine, in a quantity of one-half ounce or more but less than five ounces, including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-7.1(a), N.J.S.A. 2C:35-5(a)(1) and N.J.S.A. 2C:35-5(b)(2), and against the peace of this State, the Government and dignity of the same.

FILED

JUL 09 2020

SUPERIOR COURT
MERCER VICINAGE
CRIMINAL DIVISION

COUNT IV OBSTRUCTING THE ADMINISTRATION OF LAW OR OTHER GOVERNMENTAL FUNCTION (FOURTH DEGREE)

The Grand Jurors of the State of New Jersey, for the County of Mercer, upon their oaths, present that OMAR VEGA-LARREGUI on or about the 22nd day of August, 2019, in the City of Trenton, in the County aforesaid, and within the jurisdiction of this Court, did purposely obstruct, impair, or pervert the administration of law or other governmental function, or did prevent or attempt to prevent a public servant from lawfully performing an official function by means of flight, intimidation, force, violence, or physical interference or obstacle, or by means of any independently unlawful act, specifically by refusing to comply with the lawful commands of Trenton Police Detective Stephen Szbanz, a law enforcement officer, contrary to the provisions of N.J.S.A. 2C:29-1(a), and against the peace of this State, the Government and dignity of the same.

ENDORSED AS A TRUE BILL:

S/A Lucille Mirando
Foreperson

S/A Angleo J. Onofri
Mercer County Prosecutor

DATE: July 9, 2020
TPM

FILED
JUL 09 2020
SUPERIOR COURT OF NJ
MERCER VICINAGE
CRIMINAL DIVISION

FURLONG AND KRASNY

Mountain View Office Park
820 Bear Tavern Road - Suite 304
West Trenton, New Jersey 08628
Phone: (609) 882-0288

jfurlong@furlongandkrasny.com

Attorneys for Defendant, Omar Vega-Larregui

STATE OF NEW JERSEY,

Plaintiff,

v.

OMAR VEGA-LARREGUI,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – CRIMINAL PART
MERCER COUNTY

INDICTMENT NO: 20-07-0221-I
PROS. FILE NO.: 19-2952

NOTICE OF MOTION TO
DISMISS INDICTMENT,
R. 3:10-2

TO: Scott Gershman, Assistant Prosecutor
Mercer County Prosecutor’s Office
P.O. Box 8068
Trenton, New Jersey 08650-0068

SIR:

PLEASE TAKE NOTICE that on a date and time to be set by the Court, defendant will move through his attorneys before the Honorable Darlene J. Pereksta, J.S.C. for an order dismissing indictment, pursuant to R. 3:10-2.

PLEASE TAKE FURTHER NOTICE that counsel will rely upon the attached certification, legal memorandum to be submitted in accordance with a briefing schedule set by the court, and requests oral argument in support of this motion.

FURLONG AND KRASNY
Attorneys for Defendant, Omar Vega-Larregui

Dated: November 9, 2020

By: *//s// John S. Furlong*
JOHN S. FURLONG
NEW JERSEY AID NO.: 018101976

CERTIFICATION AS TO FILING AND SERVICE

I hereby certify that the originals of the within notice of motion, supporting certification, and proposed order were submitted by eCourts this date for filing, and copies thereof were forwarded by electronic mail to Scott J. Gershman, Assistant Prosecutor (sgershman@mercercounty.org); and by electronic service on the Honorable Darlene Pereksta, J.S.C., (via e-mail, harrison.colby@njcourts.gov).

FURLONG AND KRASNY
Attorneys for Defendant, Omar Vega-Larregui

Dated: November 10, 2020

By: *//s// John S. Furlong*
JOHN S. FURLONG

FURLONG AND KRASNY

Mountain View Office Park
820 Bear Tavern Road - Suite 304
West Trenton, New Jersey 08628
Phone: (609) 882-0288
jfurlong@furlongandkrasny.com

Attorneys for Defendant, Omar Vega-Larregui

STATE OF NEW JERSEY,	.	SUPERIOR COURT OF NEW JERSEY
	.	LAW DIVISION – CRIMINAL PART
	.	MERCER COUNTY
Plaintiff,	.	
	.	INDICTMENT NO: 20-07-0221-I
v.	.	PROS. FILE NO.: 19-2952
	.	
	.	CERTIFICATION IN SUPPORT
OMAR VEGA-LARREGUI,	.	OF MOTION TO
	.	DISMISS INDICTMENT,
Defendant.	.	R. 3:10-2
	.	

I, JOHN S. FURLONG, do hereby certify as follows:

1. I am an attorney-at-law, licensed to practice in the State of New Jersey, and as such I have represented the defendant since in or about August 2019.
2. On July 20, 2020, a Mercer County (virtual) Grand Jury returned an indictment against defendant.
3. I have attached the grand jury transcript which contained presentation of facts and law, as more fully set forth in Exhibit “A.”
4. I contend the indictment should be dismissed for failure to adhere to constitutional norms for grand jury presentations, and for failure to present clearly exculpatory information.
5. I seek from the court a briefing schedule and return date for this motion.

I certify that the foregoing statements 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: November 9, 2020

By: */s/ John S. Furlong*
JOHN S. FURLONG

**FURLONG AND KRASNY
ATTORNEYS AT LAW**

John S. Furlong

*Certified by the New Jersey Supreme Court as a
Criminal Trial Attorney*

jfurlong@furlongandkrasny.com

Telephone

609.882.0288

Scott A. Krasny

*Certified by the New Jersey Supreme Court as a
Criminal Trial Attorney*

skrasny@furlongandkrasny.com

Facsimile

609.883.2551

September 29, 2020

Via E-Mail at sgershman@mercercounty.org

Scott Gershman, Assistant Prosecutor
Office of the Mercer County Prosecutor
209 South Broad Street – 3rd Floor
P.O. Box 8068
Trenton, New Jersey 08650-0068

RE: *State v. Omar Vega-Larregui*
Indictment No.: 20-07-0221-I
Prosecutor's File No.: 19-2952

Dear Mr. Gershman

Please forward a grand jury authorization letter, together with a copy of the video displayed to them for virtual grand jury presentation, and a copy of any charge given to them as part of their virtual grand jury service.

Very truly yours,

//s// John S. Furlong

JOHN S. FURLONG

JSF/so

Mountain View Office Park
820 Bear Tavern Road, Suite 304
West Trenton, New Jersey 08628