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PASSAIC COUNTY
PROSECUTOR'S OFFICE
2016 FEB 22 A 2-52

STATE OF NEW JERSEY,

Plaintiff,

v.

DEMETRICK WILLIAMS,

Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: PASSAIC COUNTY

Accusation No. 08-09-0843-A

CRIMINAL ACTION

**VERIFIED PETITION
FOR EXPUNGEMENT**

The Petitioner, DEMETRICK WILLIAMS, residing at 16 Adams Street, Pompton Plains, New Jersey 07444, says:

1. Petitioner's date of birth is September 2, 1977.
2. Petitioner was arrested on April 20, 1997 and charged in Wayne Municipal Complaint No. S-1997-008425-1614 with possession of marijuana in an amount under fifty (50) grams, in violation of N.J.S.A. 2C:35-10(a)(4).
3. Subsequently, on August 7, 1997, Petitioner pleaded guilty to the amended charge of N.J.S.A. 2A:170-77.8, a disorderly persons offense, and was fined two hundred and fifty dollars (\$250.00). (See Certified Disposition attached hereto as **Exhibit A**).
4. Petitioner was arrested on February 28, 2008 and charged in Paterson Municipal Court Complaint No. W-2008-000114-1605.
5. Subsequently, on September 9, 2008, Petitioner pleaded guilty to the only count of Accusation No. 08-09-0843-A charging him with fourth degree endangering the welfare

of a child, in violations of N.J.S.A. 9:6-3. (See Transcript of Plea attached hereto as **Exhibit B**).

6. He subsequently met with Probation Officer Kimberly Reese, who prepared an Adult Presentence Report, which attached hereto as **Exhibit C**.
7. On February 27, 2009, Petitioner was sentenced to two (2) years of non-custodial probation with the conditions of no contact with the victim and that he not seek employment teaching children. (See Transcript of Sentence attached hereto as **Exhibit D**).
8. On June 7, 2010, Petitioner was successfully discharged from probation for having been "fully cooperative" by maintaining employment, paying his fines, and remaining out of trouble. (See Termination of Probation, attached hereto as **Exhibit E**).
9. The original Judgment of Conviction, which was signed by the Honorable Ernest M. Caposela, J.S.C. on March 3, 2009 and is attached hereto as **Exhibit F**, contained a typographical error with respect to the final charges.
10. Following a hearing before Judge Caposela on July 10, 2015, the Judgment of Conviction was amended to reflect the correct final charges. (See Amended Judgment of Conviction, attached hereto as **Exhibit G**).
11. In further support of this application, please find letters from acquaintances of Mr. Williams, attached hereto as **Exhibits H, I, and J**.
12. At no time prior to the aforementioned charges, or subsequent thereto, was Petitioner ever charged with or convicted of any disorderly persons offense, petty disorderly persons offense, municipal ordinance, or crime either in this State or in any other jurisdiction.

13. At no time between the first charge in 1997 and the second in 2008, was Petitioner ever charged with or convicted of any disorderly persons offense, petty disorderly persons offense, municipal ordinance, or crime either in this State or in any other jurisdiction.
14. As of the time of the filing of this Petition, there are no disorderly persons, petty disorderly persons, municipal, or criminal charges pending against Petitioner in this or in any other jurisdiction.
15. Petitioner is entitled to have expunged the records of his arrests, and any and all records and information pertaining thereto, in accordance with N.J.S.A. 2C:52-1 et seq.
16. Petitioner requests the court to exercise its discretion to grant Petitioner expungement of his criminal conviction pursuant to N.J.S.A. 2C:52-2a(2), giving due consideration to the nature of the offense and Petitioner's character and conduct since conviction.
17. It is requested that a date be set for hearing on the expungement of Petitioner's record of arrest and conviction and any and all records and information pertaining thereto, in accordance with N.J.S.A. 2C:52-9.

WHEREFORE, the Petitioner demands that the Attorney General of New Jersey, the Superintendent of the New Jersey State Police, the Passaic County Prosecutor, the Passaic County Sheriff, Passaic County Probation Department, the Passaic ID, the Chief of the Paterson Police Department, and the Clerk of the Paterson Municipal Court, expunge from their records any all records of Petitioner's arrest and conviction, and any and all records and information pertaining thereto.

Dated: December 9, 2015

GALANTUCCI & PATURO
BY: 
DAVID J. ALTIERI, ESQ.