

YOLANDA CICCONE
Assignment Judge

ADRIANA M. CALDERON
Trial Court Administrator

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November 4, 2015

John Paff (sent by email to paff@pobox.com)
2106 S. Cypress Bend Dr., Apt 102
Pompano Beach, Florida 33069-4457

Re: 10/22/15 Appeal of Municipal Court Public Records Request


Dear Mr. Paff:

In accordance with Rule 1:38-10(b) and Administrative Directive #6-10, this letter is in response to your appeal of the alleged denial of public records by the Joint Court of the Delaware Valley Municipal Court sent to my office, via electronic mail, on October 22, 2015.

According to your correspondence, you requested certain records from the Delaware Valley Court but because you had not received a response from the court, you considered your request "denied". Please be advised that upon receiving your correspondence, Acting Municipal Division Manager Marlene Sullivan contacted the municipal court to make inquiry about the records sought. For clarity, below please find each of your requests (verbatim), and the corresponding response provided by the Delaware Valley Municipal Court:

- A) Request - the "supplemental affidavit" delivered to Judge Novak within 48 hours after the judge telephonically authorized the warrant.
 - a. Response - the Joint Court of the Delaware Valley does not possess this document.
- B) Request - the Version of CDR No. 1020-W-2015-000027 that Judge Novak signed to "verify the accuracy of" the CDR and supporting affidavits.
 - a. Response - the copy of this CDR provided by the Court on August 27, 2015 is the only copy that the Joint Court of the Delaware Valley has in the file.
- C) Request - the audio or stenographic recording or "adequate longhand notes" of the officer's testimony or the Judge's findings and conclusions.
 - a. Response - there are no audio or stenographic recordings; there are no longhand notes of the Officer's testimony in the court file; and there are no Judge's longhand notes regarding his findings or conclusions.
- D) Request - any other written or oral record of the reasons why the judge issued a warrant instead of a summons and/or set the bail at \$4,000 (instead of the \$2,500 maximum set forth in N.J.S.A. 2C:6-1) and/or required full cash (as opposed to 10% which appears to be the default condition established by R. 7:4-3(g)).
 - a. **Response - the court does not have written or oral records as to the reason for the bail amount set.**

Thank you for your attention in this regard.

Sincerely,

Adriana M. Calderon
Trial Court Administrator

cc: Hon. Yolanda Ciccone, A.J.S.C.
Hon. William T. Kelleher, P.J.M.C.
Hon. Joseph S. Novak, J.M.C.
Marlene C. Sullivan, Acting M.D.M.
Barbara Lingsch, CMCA