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On behalf of the American Civil Liberties Union  
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*Attorneys for Plaintiff*

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NICHOLAS BOTTI,

Plaintiff,

v.

CITY OF NEWARK, NEWARK POLICE  
DIRECTOR GARRY MCCARTHY,  
LIEUTENANT MORRELLO, JULIO PAREDES  
III (BADGE NO. 7858), JOHN DOE I, AND  
JOHN DOE II,

Defendants.

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:  
: SUPERIOR COURT OF NEW JERSEY  
: ESSEX COUNTY  
: CHANCERY DIVISION  
:  
: Docket No.:  
:  
: Civil Action  
:  
: **VERIFIED COMPLAINT**  
:  
:

Plaintiff Nicholas Botti, residing in Atlantic Highlands, New Jersey, by way of Verified

Complaint against Defendants, hereby alleges:

## Preliminary Statement

1. Plaintiff Nicholas Botti brings this civil rights action to vindicate rights protected by the New Jersey Constitution as well as by the First, Fourth and Fourteenth Amendments to the United States Constitution. This action is brought pursuant to N.J.S.A. 10:6-1 et seq., directly under the New Jersey Constitution, and pursuant to 42 U.S.C. §1983. More specifically, Plaintiff brings suit to vindicate his rights to free speech and to be free from unlawful seizure that were denied to him by Defendants when they precluded him from, and then arrested him for, engaging in protected expressive activity on the public sidewalks abutting and near the Prudential Center in Newark. Plaintiff further brings this suit to ensure that he will not be denied his right to engage in protected speech activity in the future.

## Parties

2. Plaintiff Nicholas Botti is, and at all relevant times hereinafter mentioned has been, a resident of Atlantic Highlands, New Jersey.

3. Defendant City of Newark (“City”) is a city organized under the laws of the State of New Jersey and operates the Newark Police Department. At all relevant times, the City’s employees, representatives and agents hereinafter mentioned were operating under color of state law.

4. Garry McCarthy is the Newark Police Director. In that capacity, he is responsible for establishing and enforcing policies and practices of the Newark Police Department. He is sued in his official capacity only.

5. Lieutenant Morrello is a Newark police lieutenant. He is sued in his official and

individual capacities.

6. Julio Paredes III (Badge No. 7858) is a Newark police officer. He is sued in his official and individual capacities.

7. John Doe I is a Newark police officer. He is sued in his official and individual capacities.

8. John Doe II is a Newark police officer. He is sued in his official and individual capacities.

### **FACTUAL ALLEGATIONS**

9. Plaintiff is involved, along with other individuals and small non-incorporated animal welfare organizations, in engaging in peaceful free speech activities to provide information regarding abuse against animals.

10. On March 7, 2010, Plaintiff, along with approximately seven other animal welfare advocates, sought to convey information, in response to the treatment of elephants and other animals by Ringling Bros. & Barnum & Bailey Circus, to circus-goers who were attending the Ringling Bros. & Barnum & Bailey Circus event at the Prudential Center in Newark, New Jersey.

11. The Prudential Center is an arena which, in significant part, was built with public funds, and which is located within the Newark city grid. Specifically, it is located at 165 Mulberry Street between Edison Place and Lafayette Street (to the north and south). Its main entrance is on northeast section of the arena (i.e., on the corner of Mulberry Street and Edison Place). There is a large open area (hereinafter “the open area”) on Mulberry Street across Edison Place (i.e., on the northwest corner of those two streets), where people going to an event at the Prudential

Center can gather. The public sidewalks of Newark about the Prudential Center and the open area on Mulberry Street and on Edison Place.

12. While the Prudential Center is privately owned, the City of Newark owns and maintains the sidewalks abutting the Prudential Center and abutting the open area, as well as the adjacent streets.

13. Plaintiff sought to carry a sign, on the public city sidewalk abutting the Prudential Center or abutting the open area, and on a nearby sidewalk that did not directly abut the Prudential Center where his message could be adequately conveyed, that stated “This is Ringling Baby Elephant Training” with a picture of an elephant being prodded. He wished to convey this information to circus-goers on March 7, 2010. Plaintiff, as well as other animal welfare advocates associated with Plaintiff, also intended to distribute leaflets to circus-goers who were willing to accept them.

14. Plaintiff’s primary purpose for engaging in this protected free speech activity was to convey his position – specifically, that people should boycott the circus based on its treatment of animals – to the public (specifically, to circus-goers) and, thereby, hopefully to gain public support for his position.

15. Plaintiff and his colleagues did not intend to, and in fact did not, obstruct public passageways or otherwise violate the New Jersey Criminal Code. His conduct also complied with the ordinances of the City of Newark, which does not require persons engaging in expressive activities to obtain a permit unless they engage in such activities in a gathering of 50

or more persons.

16. At approximately 12:15 p.m. on March 7, 2010, Plaintiff arrived outside the Prudential Center and was informed by a fellow animal welfare advocate that they were being forced into a designated protest zone. The “protest zone” was placed a significant distance from the entrance to the Prudential Center, where the animal welfare advocates would not likely be seen or heard by circus-goers entering the Prudential Center and where the individuals would have no ability to interact with circus-goers (such as to hand out leaflets to those willing to accept them).

17. Because of their distance from the Prudential Center, persons in the “protest zone” were precluded from adequate access to the vast majority of their intended audience.

18. While in the designated “protest zone,” Defendant Morrello, a Newark police lieutenant, arrived at the zone on horseback. One of Plaintiff’s colleagues asked the lieutenant why they had to stand so far from the entrance to the arena. Defendant replied: “Because I said so.” Plaintiff then asked Defendant Morrello what law required him and his colleagues to stay in the designated area, to which Defendant Morrello replied: “My law.” Defendant then rode away from the “protest zone” on his horse.

19. Plaintiff and a colleague (Hannah Halili) then started walking away from the “protest zone” and towards the entrance to the Prudential Center. Before reaching the sidewalk near the entrance, an unknown officer, Defendant John Doe I, moved towards them and ordered them to walk back down Mulberry Street to the designated protest zone.

20. Seeking to avoid a problem but not wanting to return to the designated zone (where his

message could not adequately be conveyed to his intended audience), Plaintiff decided that, instead of attempting to be on the sidewalk abutting the entrance to the Prudential Center, he would go to the other side of Mulberry Street (across the street from the Prudential Center). From that location, Plaintiff's sign might be able to be seen from the open area adjacent to the arena or from the arena's entrance.

21. Although Plaintiff was not blocking pedestrian or vehicular traffic, two Newark police officers (Defendants Julio Paredes III and John Doe II) ordered Plaintiff to leave the area and to go back to the designated zone far from the Prudential Center. Plaintiff continued to ask why he could not engage in protected free speech activity on a public street, to which Defendant Paredes replied: "Because they don't want you here." It appeared that the term "they" referred to either the owners of the circus or the owners of the Prudential Center. When Plaintiff sought clarification as to whom the term "they" referred, the officers did not answer.

22. At the same time, a person attempting to sell items was located on the city sidewalk close to the Mulberry Street/Edison Street intersection, within view of police officers. The individual had a rolling cart which fully blocked a sidewalk. Despite this fact, from the time Plaintiff arrived at 12:15 until after Plaintiff left the area (after 1 p.m.), that individual was not requested to move and was not arrested.

23. Plaintiff refused to return to the designated zone, where his message would not be conveyed to his intended audience.

24. Plaintiff was thereupon arrested by City of Newark police officers, Defendants Paredes

and John Doe II. He was charged with “obstructing a public passageway namely by blocking the sidewalk with a sign protesting not allowing pedestrians to walk” and “failure to move when order by police while blocking sidewalk obstructing the flow of pedestrian traffic.” The tickets he received are attached hereto as Exhibit A.

25. Mr. Botti was charged despite the fact that he was holding his sign and neither he nor his sign were blocking pedestrian traffic. In fact, there were not many people passing directly by Plaintiff as most were assembled across the street in front of the Prudential Center or in the open area. Pedestrians that did pass by did so with ease. A video of a significant portion of Plaintiff’s interaction with Defendant Paredes and John Doe II as described herein, including showing pedestrians passing by, can be viewed at: <http://www.youtube.com/watch?v=056o8V37Mpw>.

26. Plaintiff was detained and deprived of his liberty by the Newark police officers for approximately 20-30 minutes, while he was held in the back of a police car.

27. Plaintiff was illegally arrested by City of Newark police officers in retaliation for his exercise of constitutionally-protected political activities.

28. All criminal charges against Plaintiff were dismissed by the municipal judge on April 19, 2010, after Defendant Paredes failed to appear.

29. From the time of arrest until the charges were dismissed, Plaintiff spent \$1,600 on attorneys’ fees in the matter. Plaintiff was also caused to miss two days of work in order to attend the hearing in the matter. Plaintiff further suffered a great deal of mental anguish resulting from his arrest and from the pending charges at the time.

30. Plaintiff seeks to engage in free speech activities on the public sidewalks abutting the Prudential Center or abutting the open area at future events, including when Ringling Bros. & Barnum & Bailey Circus uses the facility. He seeks to do so by carrying a sign and by distributing leaflets to those willing to accept them. The Circus is next scheduled to be at the Prudential Center on February 23-27, 2011.

31. The City of Newark does not have a specific written policy or guideline that establishes rules or standards for regulating political activities occurring immediately outside of stadiums, arenas, theaters and other public venues in the City.

32. The City of Newark does have an ordinance regulating gatherings and “special events” (which includes free speech activities). That ordinance (Ord. 5:10-1 et seq.) establishes that permits are only required for gatherings of 50 or more persons on public streets, sidewalks or parks. Smaller free speech activities that occur on the city sidewalks do not require a permit and are not subject to any regulation other than that which applies to all other uses of the city sidewalks

33. Given that there were only eight activists at the Prudential Center on March 7, 2010, neither Plaintiff nor his colleagues were required to obtain a permit to engage in their protected free speech activities and they should not have been precluded from engaging in their protected activities in the public forum of their choosing, so long as they did so in a manner that did not actually obstruct pedestrian or vehicular traffic.

34. Given that Plaintiff does not seek to or expect to engage in any planned activities in the



near future that will involve 50 or more persons, he is not subject to the “special events” ordinance; and no other ordinance exists that would preclude him from engaging in his protected free speech activity on the city’s public sidewalks.

35. However, upon information and belief, Defendant City of Newark has a custom, practice and/or policy of restricting, and even prohibiting, constitutionally-protected expressive activities on City sidewalks outside the Prudential Center, as evidenced on March 7, 2010, by the statements of four separate Newark police officers, by Plaintiff’s arrest, and by the creation of the designated protest zone located far from the arena entrance and far from most pedestrian traffic.

36. On information and belief, and based on the actions of four separate Newark police officers, Defendants City of Newark and Director McCarthy have not adequately informed, provided guidance to or trained Newark police officers regarding the “special events” ordinance or, more generally, on when, how and under what circumstances they are permitted to limit the political and free speech activities of persons on traditional public forums such as city sidewalks

37. Upon information and belief as well as evidenced by the statement of Defendant Paredes described in paragraph 23 above, and based on Newark police officers’ failure to remove an individual engaging in commercial activity in the same vicinity, Defendants restricted constitutionally-protected expressive activities in a traditional public forum based upon the content of the speech and/or on the request of a private party.

38. Plaintiff’s arrest on March 7, 2010, was not the first time that City of Newark has acted to prevent constitutionally-protected activities on City sidewalks, streets and in parks.

39. In the case of *People's Organization for Progress, et al. v. City of Newark*, Dkt. No. C-268-04 (Ch. Div. filed July 2004), the City of Newark was sued for imposing impermissible monetary requirements on groups and individuals who sought to engage in free speech activities, such as was engaged in by Plaintiff Nicholas Botti, on Newark's sidewalks or streets. The Court held that the City's actions were likely *ultra vires*, as no state law or City ordinance authorized it to impose the disputed permit requirements. The case resulted in a Consent Order dated December 15, 2004.

40. Thereafter, on February 21, 2008, plaintiffs in *People's Organization for Progress, et al. v. City of Newark* again sued the City by filing a Verified Petition for Enforcement of the Consent Order Dated December 15, 2004. The Petition described the failure of Newark to abide by the Consent Order and the rights of persons seeking to engage in expressive activity on the streets or sidewalks of Newark. The case was ultimately amicably resolved, with the City paying plaintiffs' attorneys' fees and with the ultimate result being the passage of a new "Special Events" ordinance. As explained earlier herein, the City of Newark's "Special Events" ordinance now provides that small expressive gatherings, such as the one Plaintiff Nicholas Botti sought to take part in on March 7, 2010, are not subject to permit requirements at all.

41. The City has continued to improperly apply its "Special Events" ordinance. In addition to the events described above that occurred on March 7, 2010, the City Clerk's office continues to provide false information regarding the application of the permit requirements to small groups. On Monday, November 8, 2010, Adelina Herrarte spoke with Ken Lewis at the Clerk's office who informed her that he did not believe there was an ordinance that controlled the permit

process, but that there was a process that must be followed for which Ms. Herrarte would need to fill out a form at City Hall. On Tuesday, November 9, 2010, Ms. Herrarte spoke with Georgia Ransome from the City Clerk's office. Ms. Herrarte was told by Ms. Ransome that to hold a demonstration in Newark, she must obtain a permit from the police station at 31 Green Street. When Ms. Herrarte specifically asked if she needs a permit even if her demonstration involves fewer than 50 people, Ms. Ransome replied "Yes." Thus, it appears that the City has failed to train not only its police officers regarding the Special Events ordinance, but has also failed to properly train employees of the Clerk's office.

42. Further, on October 22, 2009, a federal lawsuit was filed against the City of Newark by Janes Quodomine for impermissibly arresting him for engaging in protected First Amendment activities on the City sidewalk. In the Complaint, *James Quodomine v. City of Newark, et al.*, Civ. Act. No. 09-3596 (D.N.J. filed October 2009), plaintiff explains that on October 26, 2008, he was filming a demonstration that was taking place on Newark public sidewalks (specifically, on Springfield Avenue in Newark). A city special police officer ordered him to put the camera away and, when Mr. Quodomine declined, the officer forcibly arrested him, saying "I hate the press" and "I can do whatever I want." Video of news coverage of the incident is available at: <http://www.youtube.com/watch?v=CTAAZBT0rBU>.

43. Previously, in September 2007, the Newark Police Department was also sued for violating the free speech and press rights of a journalist. In *Roberto Lima v. Newark Police Department, et al.*, No. 08-cv-426a (D.N.J. filed Sept. 2007), the plaintiff describes that his photographer took pictures of a dead body that the photographer found on the streets of Newark

and, after the editor contacted police and brought them to the scene, a police lieutenant ordered (without warrant) seizure of Mr. Lima's camera and demanded all copies of the photographs. Mr. Lima refused, although he offered to provide the police with one set of copies of the photographs. He was thereby arrested and only released when he stated he would turn over all copies of the pictures taken by his photographer.

44. In acting in their capacity as Newark police officers, all actions taken by Defendants on March 7, 2010, were under color of state law.

45. In light of the City's actions on March 7, 2010, as well as its custom, practice and/or policy of restricting constitutionally-protected expressive activities in a traditional public forum, Plaintiffs' right to engage in constitutionally-protected activities on City sidewalks remains at risk.

46. Absent appropriate declaratory and injunctive relief, Plaintiff is likely to suffer irreparable harm in the form of restrictions on his free speech and political rights, an injury for which there is no adequate remedy at law.

47. The actions against Plaintiff taken by Newark police officers caused injury, for which Plaintiffs seek just and appropriate compensation.

### **CAUSES OF ACTION**

#### **Count I: First Amendment to the United States Constitution – Freedom of Speech (Brought pursuant to 42 U.S.C. 1983)**

48. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

49. Defendants' actions in prohibiting Plaintiff from engaging in protected free speech activity, including the holding of a sign on a public street, or otherwise engaging in other political activities, on the sidewalks abutting the Prudential Center and on other nearby sidewalks, violated the First Amendment to the United States Constitution, as applied to states and local governments by the Fourteenth Amendment to the United States Constitution.

50. By failing to properly train officers and by failing to adopt policies necessary to prevent the unlawful actions at issue here, Defendants City of Newark and Garry McCarthy contributed to the violation of Plaintiff's First Amendment rights.

51. Plaintiff suffered damages due to the above actions and violations.

**Count II: Article I, Paragraph 6 of the New Jersey Constitution – Freedom of Speech  
(Brought directly under the New Jersey Constitution and  
pursuant to the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq.)**

52. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

53. Defendants' actions in prohibiting Plaintiff from engaging in protected free speech activity, including the holding of a sign on a public street, or otherwise engaging in other political activities, on the sidewalks abutting the Prudential Center and on other nearby sidewalks, violated the Plaintiffs' free speech rights under Article I, Paragraph 6 of the New Jersey Constitution.

54. By failing to properly train officers and by failing to adopt policies necessary to prevent the unlawful actions at issue here, Defendants City of Newark and Garry McCarthy contributed to the violation of Plaintiff's right to freedom of speech under Article I, Paragraph 6 of the New Jersey Constitution.

55. Plaintiff suffered damages due to the above actions and violations.

**Count III: Ultra Vires Action**  
**(Brought directly under the New Jersey Constitution and**  
**pursuant to the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq.)**

56. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

57. The City of Newark only grants authority for its Police Department to place limitations on political and other expressive activities that occur on the sidewalks, streets or parks of the City when those activities are engaged in by 50 or more persons (or when those activities are engaged in a manner so as to actually obstruct pedestrian or vehicular traffic).

58. On March 7, 2010, Defendants acted to limit and, in fact, preclude, Plaintiff's expressive activities on the public sidewalks, when he was not part of a gathering of more than 50 persons and when he was not engaging in expressive activity in a manner that actually obstructed pedestrian or vehicular traffic.

59. On March 7, 2010, Defendants acted to limit and, in fact, preclude, Plaintiff's expressive activities on the public sidewalks, without authority to do so. As such, Defendants engages in *ultra vires* actions to the detriment of the free speech rights of Plaintiff.

60. By failing to properly train officers and by failing to adopt policies necessary to prevent the unlawful actions at issue here, Defendants City of Newark and Garry McCarthy contributed to the *ultra vires* actions described herein.

61. Plaintiff suffered damages due to the above actions and violations.

**Count IV: Fourth Amendment False Arrest Claim  
(Brought pursuant to 42 U.S.C. 1983)**

62. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

63. Defendant City of Newark's police officers, Julio Paredes III and John Doe III, falsely and illegally arrested plaintiff on March 7, 2010, in violation of Plaintiffs' rights under the Fourth Amendment to the United States Constitution, as applied to state and local governments by the Fourteenth Amendment to the United States Constitution.

64. By failing to properly train officers and by failing to adopt policies necessary to prevent the unlawful actions at issue here, Defendants City of Newark and Garry McCarthy contributed to the violation of Plaintiff's Fourth Amendment rights.

65. Plaintiff suffered damages due to the above actions and violations.

**Count V: Article I, Paragraph 7 of the New Jersey Constitution – False Arrest Claim  
(Brought directly under the New Jersey Constitution and  
pursuant to the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq.)**

66. Plaintiff repeats and realleges the preceding paragraphs as if fully set forth herein.

67. Defendant City of Newark's police officers, John Doe II and John Doe III, falsely and illegally arrested plaintiff on March 7, 2010, in violation of Plaintiffs' rights under the Article I, Paragraph 7 of the New Jersey Constitution.

68. By failing to properly train officers and by failing to adopt policies necessary to prevent the unlawful actions at issue here, Defendants City of Newark and Garry McCarthy contributed to the violation of Plaintiff's rights under Article I, Paragraph 7 of the New Jersey Constitution.

69. Plaintiff suffered damages due to the above actions and violations.

**Relief Requested**

WHEREFORE, Plaintiff requests the following relief:

- a. Preliminary and permanent injunctions enjoining Defendant City of Newark, and its employees, agents and assigns, from restricting or prohibiting Plaintiff or any other persons from engaging in free speech activity, including but not limited to holding signs and distributing literature, on City streets, sidewalks and parks, including but not limited to the public sidewalks abutting and near the Prudential Center, except when such activities involve groups of 50 or more as authorized by ordinance;
- b. Declare that the prohibition on expressive activity in the public forums adjacent to and near the Prudential Center violated the First and Fourteenth Amendments to the United States Constitution and Article I, Paragraph 6 of the New Jersey

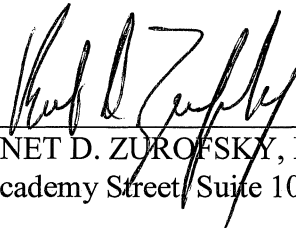


Constitution;

- c. Declare that Defendants' actions, as well as Defendant City of Newark's policy of restricting, and sometimes prohibiting, constitutionally-protected expressive activities engaged in by less than 50 persons in traditional public forums were *ultra vires* acts, and thereby resulted in violation of Plaintiff's rights under the First and Fourteenth Amendments to the United States Constitution and Article I, Paragraph 6 of the New Jersey Constitution;
- d. Declare that the citation and arrest of Plaintiff violated the Fourth and Fourteenth Amendments to the United States Constitution and Article I, Paragraph 7 of the New Jersey Constitution;
- e. Award Plaintiff compensatory damages against Defendants;
- f. Award Plaintiff his attorneys' fees and costs pursuant to 42 U.S.C. Section 1988 and the New Jersey Civil Rights Act, N.J.S.A. 10:6-1 et seq.; and
- g. Grant such other relief as this Court deems just and proper.

Plaintiff demands a trial by jury.

Dated: January 26, 2011  
Newark, New Jersey

By:   
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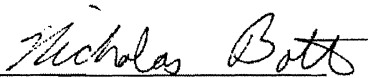
On behalf of the American Civil Liberties Union  
of New Jersey Foundation

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Attorneys for Plaintiff

**VERIFICATION**

I, Nicholas Botti, hereby affirm under penalty of perjury that the factual statements contained in the foregoing Verified Complaint relating to the events in which I participated on March 7, 2010, and relating to the arrest and resulting proceedings and damages incurred, and relating to my interest in further free speech activities, are, to the best of recollection, true and accurate.

  
\_\_\_\_\_  
Nicholas Botti  
Atlantic Highlands, New Jersey

Dated: January 25, 2011

COURT I.D. PREFIX COMPLAINT NUMBER  
**0714 MC 228953**

Newark Municipal Court  
 31 Green Street  
 Newark, NJ 07102

**The State of New Jersey**  
 (Please Print) **vs.**

Defendant's Name: First Initial Last  
 Address City  
 State Zip Code Telephone  
 Birth Date: Mo Day Yr Sex Eyes Height Restrictions  
 Driver's License # State Exp. Date

STATE OF NEW JERSEY } SS  
 COUNTY OF \_\_\_\_\_

Complaining Witness: \_\_\_\_\_ (Name)  
 of \_\_\_\_\_ (Identify Dept./Agency Represented) (Badge No.)  
 Residing at \_\_\_\_\_  
 by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the 3-7-10 10:00pm  
 in \_\_\_\_\_ County of \_\_\_\_\_ N.J.  
 did commit the following offense:

In violation of (one charge only) \_\_\_\_\_ (Statute, Regulation or Ordinance Number)  
 LOCATION OF OFFENSE Describe Location

OATH: Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ yr. \_\_\_\_\_  
 (Signature of Complaining Witness) **OR** (Date)  
 (Signature of Person Administering Oath) (Signature of Complaining Witness)

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:**  
 COURT USE ONLY LAW ENFORCEMENT USE ONLY  
 Probable cause is found for the issuance of this Complaint-Summons  
 Yes  No (Signature of Judicial Officer)  
 Yes  No (Signature of Judge)  
 The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of the Complaint-Summons.

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

**NOTICE TO APPEAR**  
 COURT APPEARANCE REQUIRED COURT DATE Month Day Year Time AM PM

(Date Summons Issued) \_\_\_\_\_ (Signature of Person Issuing Summons)  
 Complaint - Summons SF-2 (12/01)

COURT I.D. PREFIX COMPLAINT NUMBER  
**0714 MC 228952**

Newark Municipal Court  
 31 Green Street  
 Newark, NJ 07102

**The State of New Jersey**  
 (Please Print) **vs.**

Defendant's Name: First Initial Last  
 Address City  
 State Zip Code Telephone  
 Birth Date: Mo Day Yr Sex Eyes Height Restrictions  
 Driver's License # State Exp. Date

STATE OF NEW JERSEY } SS  
 COUNTY OF \_\_\_\_\_

Complaining Witness: \_\_\_\_\_ (Name)  
 of \_\_\_\_\_ (Identify Dept./Agency Represented) (Badge No.)  
 Residing at \_\_\_\_\_  
 by certification or on oath, says that to the best of his/her knowledge or information and belief, the named defendant on or about the 3-7-10 1:00pm  
 in \_\_\_\_\_ County of \_\_\_\_\_ N.J.  
 did commit the following offense:

In violation of (one charge only) \_\_\_\_\_ (Statute, Regulation or Ordinance Number)  
 LOCATION OF OFFENSE Describe Location

OATH: Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_ yr. \_\_\_\_\_  
 (Signature of Complaining Witness) **OR** (Date)  
 (Signature of Person Administering Oath) (Signature of Complaining Witness)

**PROBABLE CAUSE DETERMINATION FOR ISSUANCE OF PROCESS:**  
 COURT USE ONLY LAW ENFORCEMENT USE ONLY  
 Probable cause is found for the issuance of this Complaint-Summons  
 Yes  No (Signature of Judicial Officer)  
 Yes  No (Signature of Judge)  
 The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of the Complaint-Summons.

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(Date Summons Issued) \_\_\_\_\_ (Signature of Person Issuing Summons)  
 Complaint - Summons SF-2 (12/01)

COMPLAINT

COMPLAINT

COMPLAINT

SUMMONS

SUMMONS