

E446: Ken Vercammen's 25th Wedding Anniversary 1. Recent cases: Trial Court to examine if confession based on false promise of leniency. State v. Hreha 2. PTI not available after guilty verdict. State v. Bell 3. Suppression granted where stop based on driver high beams on. State v. Witt 4. Next Community Events

## **Ken Vercammen's 25th Wedding Anniversary**



**The Groomsmen at wedding July 8, 1989 were:**  
**Front Row: Jim Watt, Cynthia Vercammen, Ken Vercammen, Chris Knigge**  
**Middle row: John Bachenski, Mike Sydor, Mike Brennan**  
**Back row: Jim McGreevey [was NJ Governor], Steve Vercammen**

**Recent Cases:**

1. Trial Court to examine if confession based on false promise of leniency. State v. Hreha
2. PTI not available after guilty verdict. State v. Bell
3. Suppression granted where stop based on driver high beams on. State v. Witt
4. Next Community Events

**1. Trial Court to examine if confession based on false promise of leniency. State v. Hreha 217 NJ 368 (2014)**

The record lacks sufficient credible evidence to support the trial court's finding that defendant was not offered leniency in exchange for his confession. The matter is remanded for a new Miranda hearing to allow a trial court to make fresh credibility and factual findings, after which the trial court may decide what weight, if any, to assign to any promises of leniency when it applies the totality-of-the-circumstances test.

**2. PTI not available after guilty verdict. State v. Bell 217 NJ 336 (2014)**

PTI is a pretrial diversionary program that is not available to a defendant once the charges have been tried before a judge or a jury and a guilty verdict has been returned.

**3. Suppression granted where stop based on driver high beams on. State v. Witt 435 NJ Super. 608 (App.**

## **Div. 2014)**

The court granted leave to appeal an order granting defendant's motion to suppress evidence seized during a warrantless search of his vehicle. The court affirmed not only because it is bound by State v. Pena-Flores, 198 N.J. 6 (2009), and its many antecedents, and not only because no exigencies for the search were revealed during the suppression hearing, but also because there was no legitimate basis for the motor vehicle stop that preceded the search. In this last regard, the record demonstrated that the police officer stopped defendant's vehicle because defendant did not dim his high beams as he drove by the officer's parked patrol vehicle. Because the patrol vehicle was not an "oncoming vehicle," and because there were no other "oncoming vehicles" on the road at the time, the police officer did not have objectively reasonable grounds to believe defendant had violated the high-beam statute, N.J.S.A. 39:3-60, in making the vehicle stop.

## **4. Next Community Events**

7/9- Woodbridge 4-mile 7pm free pizza

7/9- RVRR Summer Pub Crawl

Belmar 5 Mile Race July 12, 8:30am

Kenneth Vercammen is again putting together 5 teams of both competitive and non- competitive runners. If

you are running email Ken at [Kenv@njlaws.com](mailto:Kenv@njlaws.com)

Individual Application online at  
<http://www.belmar5.com/belmar.pdf>

### **Friday, July 18**

Happy Hour & Networking Party

5:00PM - 7:00PM

at Bar Anticipation

703 16th Avenue

Lake Como/ Belmar, NJ 07719

Free !

5-7PM Hot & Cold Buffet with carving station

The reduced price Happy Hour is 6-7PM with \$1.50  
House Drink, Bud/BudLt draft & House Wine Special

7/19- Ocean Grove Biathlon 2M run, 300 yd swim  
Ocean Grove fast short event. 8am

7/20- Eden Autism 5K and Fun Run in Princeton, 9am

7/22- Tuesday night Raritan Valley Road Runners  
RVRR 5k summer series Highland Park Donaldson Park  
7pm

7/26- Sea Girt 1 mile swim 8am

7/26/14- Parker House 2 Mile Fun Run & Beer Party! in  
Sea Girt, New Jersey. If you swim fast enough you can

make the parker horse run at 9:47.

7/27- 5k Run/Walk VFW Post #133 East Brunswick, NJ  
9:00AM