

NJ LAWS EMAIL NEWSLETTER E473

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Greetings!

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E473

1. Reminder: Clients, Friends, Professionals, Attorneys, Law Enforcement, 5k runners invited to Summer Blast Happy Hour & Networking Social

Friday, July 17, 2015

at Bar Anticipation 703 16th Avenue Lake Como/ Belmar, NJ 07719

Happy Hour at Bar A, we will be at the Big Boardwalk Bar outside.

Look for banners and USA flag.

Free !

5:30-7:55PM Hot & Cold Buffet

The reduced price Happy Hour is 6-7PM with \$1.50 House Drink, Bud/BudLt draft & House Wine Special. Join 170 plus friends and businesses persons.

This event will also be the Kenneth Vercammen Law Office

30th Anniversary Party

"Celebrating 30 years of providing excellent service to clients

and the community" 1985-2015

Email Ken Vercammen's Law Office so we can put your name on the VIP list for wristbands. VercammenLaw@Njlaws.com

Please bring a canned food donation for a community food bank, continuing to provide food and help to individuals in need.

Recent cases

2. Police did not have reason to order passenger out of car. State v Bacome __ NJ Super. __ (App. Div. 2015) (A-3734-12T1).

Based on speculation that defendant and a passenger in his vehicle were involved in illegal drug activity, police officers attempted to follow but lost sight of the vehicle in or near Newark and waited in Woodbridge for its return. Once the vehicle returned, the officers stopped it, ostensibly because the passenger was not wearing his seatbelt. On approaching, an officer, who did not testify, observed defendant reach under his seat. Both driver and passenger were then ordered out of the vehicle; after the passenger exited, an officer was able to observe in plain view materials that suggested drug usage. Based on that observation, a warrantless search of the vehicle ensued, and illegal drugs were found.

Because defendant's mere entry into and departure from Newark did not permit a reasonable suspicion of illegal drug activity and because the State had failed to present facts "that would create in a police officer a heightened awareness of danger" if the passenger were allowed to remain in the vehicle, State v. Smith, 134 N.J. 599, 618 (1994), the court found no sufficient ground for the ordering of the passenger out of the vehicle and reversed the denial of the suppression motion.

3. A request for a civil reservation in municipal court must be made in open court. Maida v. Kuskin, 221 N.J. 112 (N.J. 2015).

A request for a civil reservation in municipal court must be made in open court and contemporaneously with the court's acceptance of defendant's guilty plea. If the prosecutor or the victim demonstrates good cause, or the charge to which a defendant pleads guilty does not arise out of the same occurrence that is the subject of the civil proceeding, a civil reservation order may not be entered.

4. Next Community eve

7/22 RVRP Summer Pub and New Brunswick Restaurant Week

7/26 5K Run / Walk VFW Post #133 East Brunswick, NJ 9AM

7/26 RVRP day at beach Belmar

8/1 Sea Girt 5k 8:30 am Wakefern Shoprite co-sponsor

8/8 Asbury Park 5K, Asbury Park, N.J. 8:30am Wakefern Shoprite co-sponsor - benefiting Boys & Girls Clubs of Mon. Cty.

8/15 Bradley Beach 5k co-Sponsor Wakefern Shoprite 8:30

8/16 Ray Licata Long Branch Ocean Mile Swim 1 mile 8am

8/22 Belmar Chase 5k

Editorial assistance provided by Jordan Davis. Ms. Davis is currently participating in Kenneth Vercammen's Summer Internship Program and will be enter her Senior year at Rutgers' University.