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thomascaggiano.com
7086 Arcadia Glen Ct
N. Las Vegas, Nv 89084
Jun 30, 2012
Phone: 702-586-6758
email: thomascaggiano@gmail.com

Corrupt Joint Municipal Court of Green, Fredon, Hampton and Borough of Andover
Court Administrator Maria Spiegler
P.O. Box 65
Tranquility, N.J. 07879
Phone: (908) 850-0990
Fax: (908) 852-4935

FBI HQ Public Corruption Unit
Re: DA300337340 PIN case file reference
935 Pennsylvania Ave, NW
Washington D.C. 20535
Phone: 202-353-4641
Email: criminal.division@usdoj.gov

Sheriff Michael F. Strada
and Undersheriff Homer Wanamaker (previously Internal Affairs Div)
www.sussexcountysheriff.com
39 High St.
Newton, N.J. 07860
Phone: 973-579-0850
fax: 973-579-7884

State of New Jersey Attorney General
Criminal Division Department of Law and Public Safety
Additional reports of continuing Title 2C criminal conduct with complicity and conspiracy and repeated pattern of official misconduct and obstruction of law with criminal coercion
P.O. Box 080
Trenton, N.J. 08625-0080

Subject: Request for Court Records per R. 1:38-1, Administrative Records of the Courts Directive #3-11 and N.J.S.A. 22A:2-19 various Court Dockets State of New Jersey vs. Thomas Caggiano before Judge Craig U. Dana, J.M.C.

1. Introduction: The Joint Municipal Court apparently engaged in vast criminal conduct violating via false imprisonment, violation of my constitutional rights by the federal statute crimes of Title 18 Sections 2, 4, 241, 242 and others and many N.J.S.A. 2C crimes to retaliation against a n informant, conspiracy, complicity of Mayors and Governing Body members and the Joint Court Committee of four municipalities on a repetitive basis to obstruct justice by JUDICIAL fraud and trickery and tort violations of outrage and breach of duty with massive violations of court rules and R. 1:14 rules of ethics by judge, attorney and judicial staff and the State Police from Augusta Barracks and the Mayor Diana Kuncken and Governing Body embers, municipal clerk, chief of Police and borough Attorney Richard

A. Stein, Esq for the racketeering enterprise structures as the Borough of Stanhope, 77 Main St. Stanhope, N.J. 07874 as Affidavits of Probable Cause for such crimes as N.J.S.A. 2C:30-6 with bodily harm, kidnapping, false imprisonment, criminal coercion of witness Thomas Caggiano, Kathryn Caggiano and Mary Pawar, 12 East Drive, Stanhope, N.J. 07874 who voluntarily came to the court to testify for the benefit of the defendant Thomas Caggiano was NOT allowed in violation of due process rights and the team of Judge Dana, J.M.C., William Hinkes, Esq, and Richard Stein, Esq. in a joint effort defamed Thomas Caggiano with great libel and slander as Richard Stein, Esq. and Mayor Diana Kuncken committed willful perjury to created its decade long fraud as it continues with Judge Craig U. Dana, J.M.C. in the joint municipal court of Wantage, Stillwater and Borough of Sussex as a witness therein and in the corrupt Newton Municipal court as the deputy court administrator Ms. Tana Ell has performed her public duty under the requirements of C.E.P.A., title 18 Section 4 and N.J.S.A. 2c:2-1 by NOT committing the crime of omission as done by others. It appears for all defendants before Judge Craig U. Dana, J.M.C. and his alleged municipal prosecutor William Hinkes, Esq. in the Joint Municipal Court of Green, Fredon, Hampton and Borough of Andover were defrauded and some convicted of quasi-criminal acts and falsely jailed or suffered other penalties which may have cost them thier livelihoods. Defrauded were tribunal, defendants and public by apparently falsely posing as a authorized municipal prosecutor functioning with legal authority under the color of law by trickery and fraud with the Joint Court Committee representatives for each of the four municipalities is alleged to operate jointly in an agreed upon structure of the Joint Municipal Court thereby a structured enterprise of agreed pattern of criminal conduct and alleged criminal conduct using an effective date even before agreeing in a jointly required resolution by the four municipalities to allow the Township of Green to retain the services of an attorney and used a backdated effective date on a resolution to initiate negotiations for selection and contract placement with William Hinkes, Esq. and his law firm per R. 5.1. I note the corrupt Sussex County State Prosecutor was William Hinkes prior law partner being David Weaver , Esq. 19-21 High St., Newton N,J, 07860 and indicted me under IND 08-09-316-I State vs. Thomas Caggiano which was a conspiracy with Judge N. Peter Conforti, J.S.C. and other Superior Court Judges in the Vicinage which is a hive of obstruction of law, corruption and fraud.

2. References:

a. **R. 1:38-1. Policy**

Court records and administrative records as defined by R. 1:38-2 and R. 1:38-4 respectively and within the custody and control of the judiciary are open for public inspection and copying except as otherwise provided in this rule. Exceptions enumerated in this rule shall be narrowly construed in order to implement the policy of open access to records of the judiciary. Note: New caption for R. 1:38 adopted July 16, 2009 to be effective September 1, 2009.

b. **R. 1:38-8. Documents Improperly Submitted to Court**

A party or other interested person may request that the court remove from its file an improperly submitted document upon application to the court and notice to all parties. A document is deemed improperly submitted to the court if the person who submitted the document had no legitimate basis in rule or law for doing so and if the document is not an evidential exhibit or part of a motion, brief, or other pleading. The party or interested person seeking to have a document removed from a court file bears the burden of proving by a preponderance of the evidence that it was improperly submitted.

c. **Directive 03-11** Jul 11, 2012 by Administrative Office of the Courts Glenn A. Grant, J.A.D. and abstracted parts therein:

GLENN A. GRANT, J.A.D.
Acting Administrative Director of the Courts

www.njcourts.com • phone: 609-984-0275 • fax: 609-984-6968

TO: **Hon. Ariel A. Rodríguez, P.J.A.D.**
Assignment Judges
Hon. Patrick DeAlmeida, P.J.T.C.
Civil, Criminal, Family, General Equity and
Municipal Presiding Judges
AOC Directors and Assistant Directors
Clerks of Court
Trial Court Administrators
Division Managers, All Divisions

FROM: **Glenn A. Grant, J.A.D.** 

SUBJECT: **Procedures for Providing Public Access to Court Records and**
Administrative Records Pursuant to Rule 1:38

DATE: **July 12, 2011**

DIRECTIVE # 03-11
(Supersedes Directive #15-05)

An open and transparent court system is an integral part of our democratic government. The public has a right of access not only to our courts, but also to our court records. Public access to court records allows citizens to understand the court system and to judge its effectiveness.

In 2009, the Supreme Court adopted new Rule 1:38, "Public Access to Court Records and Administrative Records," to be effective September 1, 2009. That Rule replaced the prior Rule 1:38 ("Confidentiality of Court Records") in its entirety. The 2009 Rule provides that "court records and administrative records...are open for public inspection and copying except as otherwise provided in this rule. Exceptions enumerated in this Rule shall be narrowly construed in order to implement the policy of open access to records of the judiciary."

1. Introduction and Purpose of Rule 1:38 “Public Access to Court Records and Administrative Records”

An open and transparent court system is an integral part of our democratic government. The public has a right of access not only to our courts, but also to our court records. Public access to court records allows citizens to understand the court system and to judge its effectiveness.

The Judiciary has a longstanding open records policy. In 2005, then Acting Administrative Director Philip S. Carchman, J.A.D., issued Directive #15-05, “Judiciary Open Records: Policies and Procedures for Access to Case-Related Court Records-Staff Guidelines.” Directive #15-05 standardized the procedures for obtaining access to and copies of court records in county courthouses and in the central office in Trenton. However, Directive #15-05 predated new Rule 1:38 (“Public Access to Court Records and Administrative Records”) adopted in 2009. This Directive therefore supersedes Directive #15-05 so as to implement the principles of openness reflected in the 2009 rule. It provides guidance to the public on how to request copies of court or administrative records and informs court staff on how to respond to record requests in accordance with the provisions of the rule. It also supersedes the October 14, 2010 supplement to Directive #15-05 (“Fees for Copies of Judiciary Records Provided to the Public and Waiver of Fees for Government Agencies”).

Under Rule 1:38, “Public Access to Court Records and Administrative Records,” the public has a right to inspect and copy court records and administrative records within the custody and control of the Judiciary except as otherwise provided in the rule. Rule exceptions are to be narrowly construed in order to implement the policy of open access to Judiciary records. The term “public” is all-inclusive and refers to individual citizens, the press, commercial entities and persons representing interest groups. Access to docket information is available from public access terminals in most courthouses and the Superior Court Clerk’s Office in Trenton.

This Directive does not address:

2. Definition of Court Records and Administrative Records

In Rule 1:38, the Supreme Court balances the principles of transparency and openness against individual privacy and security concerns. It provides for access to all court records as defined by R. 1:38-2 and all administrative records as defined by R. 1:38-4 except those records specifically excluded by the Rule.

Definition of Court Records (See Rule 1:38-2)

(a) A court record includes:

- any information maintained by a court in any form in connection with a case or judicial proceeding, including but not limited to pleadings, motions, briefs and their respective attachments, evidentiary exhibits, indices, calendars and dockets;
- any order, judgment, opinion or decree related to a judicial proceeding;
- any information in a computerized case management system created or prepared by the court in connection with a case or judicial proceeding; and
- any record made or maintained by a Surrogate in the course of his or her role as a judicial officer.

3. Previously in the corrupt Sussex County Jail called Keogh-Dwyer Correctional Facility wherein I suffered bodily damage due to violation of health laws to care for its inmates as my needed drugs were withheld for months. I filed dozens of inmate request forms, letters of grievances and wrote letters to the FBI, Sussex County Board of Freeholders and met under sheriffs and IAD's corrupt Homer Wanamaker complaining about the conduct of his staff and thereafter the Sussex County Administrator requested the Sheriff to conduct an investigation of my maltreatment by the medical staff and his control officers that threatened me. I also requested as the falsely imprisoned inmate under duress to be free to file Affidavits of Probable Cause against Judge Dana, J.M.C. and was denied my prescription drugs for months as I complained to under sheriffs and the nurses complained repeatedly that I was NOT given per health and safety rules such drugs which required me immediately to be taken by shackles and chains to the Newton Memorial Hospital where I was chained to the bed even though I had never been convicted of any criminal offense nor did any person ever say I assaulted them in any manner. My own Defendant court records have continued to deny me despite clear guidance and reiterated policy of Open Records particularly the defendant per due process rights as due process rights were denied me in the Keogh Dwyer Correctional Facility as my wife and I complained repeatedly to the then IAD Homer Wanamaker as it appears the way to get promoted is to commit criminal acts and have official misconduct as protection of themselves is MUCH MORE IMPORTANT TO THE ABOVE than comply with federal and state constitutions and such things as laws to protect the health and safety of inmates as coercion is the operating methods of the Jail as their superiors are also complicit with the criminal conduct engaged therein.

4. Judge Craig U. Dana, J.M.C. and as known to the Vicinage Trial Court Administrator, the Vicinage X Assignment Judge and thereafter the Acting Administrator Director of Courts the N.J. Court Rules and due process considerations on motions for Dismissal with Prejudice because of fraud are allowed and requests for retrials is also stated in the Rules Governing New Jersey Courts. In addition, findings

were already made as I stated in motions to the Municipal Court and also by my Stand-by Attorney Robert Mattia, Esq. that the trial was conducted in a manner that violated the Constitutions of the United States and New Jersey. To provide required records on a CD-ROM as required by court rules, copies of transcript records were also denied. As stated by Superior Court Judge N. Peter Conforti, J.S.C. and in agreement with the Sussex County Prosecutors Office who is the Attorney General of New Jersey by N.J.S.A 2C:21-24 Definitions all these parties agreed that Judge Dana, J.M.C. repeatedly violated New Jersey court rules in his sentencing and resentencing and also made a finding that NO mental examination was discussed during the “unconstitutional” trial as Judge Dana, J.M.C. with the knowledge of William Hinkes, Esq. and the court administrator issued clearly unconstitutional court orders denying me access to Open Public Meetings at designated locations, to submit Open Public Record Request to the Borough of Stanhope and to submit Open Court Record requests to the originating municipal court thereby even my constitutional rights to file Affidavits of Probable cause against any person or law firm in the originating Borough of Stanhope’s municipal court which no longer exists in the Borough of Stanhope itself. Nor was I able to pay taxes as stated by Richard A. Stein, Esq. in advance to the Borough of Stanhope so that I could using financial planning reduce my federal taxes and as stated by Richard Stein, Esq. when questioned by the magistrate: “Can persons pay their taxes in advance?” Richard Stein stated: “ YES except Thomas Caggiano”. In fact, my wife Kathryn Caggiano mailed a check to pay taxes in advance to the Borough of Stanhope which would reduce her and my federal taxes but instead my wife Kathryn Caggiano who files a federal and state tax return she was threatened by mail by the Borough of Stanhope as I have complied for over 2 years with the direction of the FBI SAC in Las Vegas, Nv as noted on the redacted letter I have published for years on <http://thomascaggiano.com/fbi.jpg> and complied with the directions of the U.S.P.S> Inspection Service in Phoenix, Az to the U.S.P.S. Inspection Service at 222 Riverside Plaza, Chicago, Il and never in years ever was called regarding the mail fraud. criminal conspiracy and continuous harassing mail sent to my neighbors in Mary Pawar and Iqbal Pawar, 12 East Drive, Stanhope, N.J. 07874 who were also threatened repeatedly by mail and the corrupt Sussex County Soil Conservation District’s after writing to me they were shills when they mailed their own signed complaints about safety, soil conservation, destroyed trees and more even subpoenaed her to court and Judge Mulhern allowed NO witnesses sentencing me to the corrupt Koegh Dwyer Correctional Facility for 15 Days under SLAP and then Judge Dana, J.M.C. illegally sentenced me and continued to illegally resentencing for 95 days. The corruption DOES NOT STOP years later as I still have NO civil rights by a dozen corrupt Sussex County/Morris County Vicinage. Per the Jail a person can not report 1st degree State crimes nor federal crimes that have life imprisonment or death sentences!! That how the Sheriff protects NOT the inmates, not We the People but his corrupt Homer Wanamaker by promoting him to under sheriff instead of putting him where he belongs (1) federal prison and (2) State of New Jersey prison for life for anticipating with knowledge of corruption therein causing bodily harm !!

5. Since it was determined by the Superior Court that NO mention of mental diminished capacity was brought by myself or attorney as justification for dismissal of the charges as noted by me in motions per R. 3:2.3.3 “A mental examination may be ordered BEFORE SENTENCING” and if a diminished capacity defense is not raised by the defendant or the court, the court MAY NOT ORDER a psychiatric examination prior to trial. If during a trial a judge believes there exist cause for a mental examination he an examine is to be conduct at the State’s expense by the Department of human Services and based upon such findings the defendant has the due process rights of due process, confrontation, cross examination and hiring his own psychartrist. As NO such exam was requested by the municipal court DURING said trials held as authorize by court rules and my wife hired other psychiatrists for other purposes and I never authorize the release of PRIVATE HIPPA data to Judge Dana, J.M.C. under many motions of protest by his violations of court rules and by others my private medical records were obtained in violation of privacy rights. As admitted by the probation officer she admitted she contact my

private mental evaluators without my approval and I never gave her permission that was not required by me as Judge Dana, J.M.C. had no such authority AFTER a Trial to "order" any voluntary mental examine which I protested at great emotional distress to my entire family as my father who was extremely ill begged me to provide such records as did my beloved wife who cried constantly in great agony with her fibromyalgia as I was falsely imprisoned by Judge Craig U. Dana, J.M.C. and his court order were clear violations of Title 18 Section 241 and 241 and N.J.S.A. 2C:30-6 which impacted by great stress as I was falsely imprisoned and a known informant with others to the federal government and State Official Corruption Bureau as my Point of Contact was SGT. Little-Floyd Badge 5375 with other SGT. Eric Fowlkes Badge 4792, DSG Luberlazzi Badge 5179, DSFC Cambers # 3615 and others and whereas the Legislative Branch's Commission of Investigations sent its employee Ms. Gore to my home at East Drive, Stanhope, N.J. 07874, and the Office of Attorney general's Office of Government Integrity Ms. Ellen Cohill stated there was too much corruption for them to investigate that we should proceed to the Office of Attorney General as other SGTs are witnesses in the Hughes Justice Complex that I and my wife Kathryn appeared as State of NJ Criminal Division's Department of Law and Public Safety and whereas over 25 persons have requested criminal investigations including the Sussex County Administrator John Eskilson, jeskilson@sussex.nj.us, (973) 579-0250, 1 Spring Street, Newton, New Jersey 07860 as other court persons have contacted the FBI and State Police Official Corruption Bureau and a Federal Senator (NJ), Congressman (NJ), Congresswoman (Nv), State Senators and members of the General Assembly and former Borough of Stanhope Town Administrator Richard Stewart and the former Borough of Stanhope Municipal clerk Ms Robin Kline all requested investigations and the Sussex County Probation Officer Jenn Jobbagy admitted under oath she has a huge file of evidence entered as Defendant's exhibits admitting she contact my hired psychiatrist as I did NOT give any person to contact Dr. Nelson, M.D. as he hired his own attorney who wrote falsehoods that he had NO medical relationship with me with a report but in fact he without my knowledge did prescribe an anxiety pill which I refused repeatedly to take in the corrupt Sussex County Jail wherein I was repeatedly harassed and was taken to an area NOT visible by other inmates by the elevator and CO control room area on Cell Block 5 as I was repeated threatened and had my civil rights violated as I insisted on seeing my attorney before providing written responses to a SGT. and Control Officer as also the SGT's and CO's criminal acts and the conduct was observed by my cell mate and other inmates who assisted me in NOT having my due process and civil rights violated. Whereas improper medical care in the Jail which cause my immediate hospitalization with IVs do the stress of having been imprisoned by a corrupt judge and corrupt lawyer who presented himself as a municipal prosecutor as the court room proceedings in front of the court administrator with court orders that were federal and state felonies as the court order defined treason itself.

6. I therefore request the following court documents and records as the defendant:

- a. Copy of the transcript records for all hearings, trial and sentencing for all actions before Judge Dana, J.M.C. on a CD in .doc (WORD) format or .pdf (Adobe) format as required for Appellate Division Superior Court Appeals under A-001721-10 State of New Jersey vs. Thomas Caggiano
- b. I request a copy of my motions and those prepared by Robert Mattia, Esq. as my Stand-by attorney for the cases before Judge Dana, J.M.C. noted above
- c. I request a copy of my request for copies of court documents and Judge Dana's refusal to allow me to copy and/or photograph court records in direct violation of the Directive #3-11 and R. 1:38
- d. I request a copy of the letter prepared by the court administrator that states Thomas Caggiano can NOT per State Law obtain copies of court records.

e. I request a copy of the transmittal letter to the Borough of Stanhope of all document prepared by Judge Dana and William Hinkes and all my Defendants exhibits and if NOT within the Township of Green's court a letter transmitting them with a listing of documents sent to the Borough of Stanhope regarding the cases transferred to the Borough of Stanhope.

f. I desire a copy of the transmittal letter from the Borough of Stanhope concerning my cases above.

7. This is a verified certified affidavit based upon my own knowledge and therefore IS EVIDENCE that maybe used in courts or administrative hearings. I certify the forgoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false that I am subject to punishment.

8. Attached is the Formal New Jersey Judiciary RECORDS REQUEST FORM and this document is included as a part of that record request dated Jun 30, 2012.

Very Sincerely,

Thomas Caggiano Jun 30, 2012