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Pro Se

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State of New Jersey,		Municipal COURT of NEW JERSEY
		Joint Municipal Court of Sussex, Wantage and Stillwater
PLANTIFF,		Docket S-2003-000084-1910 and S-2003-000083-1910
vs.		
		Dismiss with Prejudice against State of NJ
THOMAS CAGGIANO		

1. Please accept this letter brief in lieu of a more formal brief as a Post Conviction Filing Notice of Moving Paper for Dismissal with Prejudice against the State of N.J. in the former Stillwater municipal court Docket State of New Jersey vs. Thomas Caggiano, quasi-criminal conviction in the Joint Hampton/Stillwater municipal court, as court records were transferred to the new Joint Sussex/Wantage/Stillwater municipal court for an unconstitutional trial and court orders issued by Judge Mulhern, J.M.C. and failure of the municipal prosecutor Laddey, Clark and Ryan LLC to present exculpatory evidence as due process rights of a speedy trial by Judge Craig U. Dana, J.M.C. on motions therein have also violated the Constitution of N.J. and Constitution of the United States of America and whereas Judge Craig U. Dana, J.M.C. with William Hinkes, Esq. and Richard A. Stein, Esq. engaged in alleged violations of Rules of Ethics in numerous cases

filed in Stanhope and transferred to the Joint Municipal Court in Green, Hampton, Fredon and Borough of Andover and wherein my municipal appeal Judge Conforti, J.S.C. that Judge Dana, J.M.C. repeatedly violated the Rules of the Court and also made findings that no discussion of mental conditions was made during the municipal trial Judge Dana had no right to demand a voluntary mental examine AFTER sentencing. Whereas Robert Mattia, Esq. as stand-by attorney filed papers that the trial was unconstitutional and sentencing was unconstitutional violating the rules of the court and all fines were removed. Whereas the Superior Court made findings in the municipal appeals that Thomas Caggiano may proceed Pro Se and in two reports while conflicting by two mental evaluators under the Ind 08-09-316-I State of NJ vs. Thomas Caggiano by fraud itself as an entry was made into the Superior Court Automated Data Base and also in the court order issued by Judge Conforti, J.S.C. that did NOT comply with court rules on providing any reason the court order infers as required by court rules a written motion be filed with the court and the defendant by the State of New Jersey but Gregg Mueller, the first assistant prosecutor nor any filed for the STATE of N.J. any motion to the court as witness were not allowed in the court of Judge Conforti, J.S.C. and he did NOT even allow me to hire my own attorney AFTER both Robert Mattia, Esq. and I objected to having the directed attorney Robert Mattia, Esq. as he did NOT comply with the Rules of Ethics RPC 8.3.a and 8.3.b and report Judge Craig U. Dana, J.M.C., William Hinkes, Esq., Richard Stein, Esq., Judge N. Peter Conforti, J.S.C., Judge Thomas Manahan, J.S.C., Sussex County Prosecutor David Weaver, Esq., First Assistant Prosecutor Gregg Mueller, Esq. and others to the Advisory Committee on Judicial Conduct ACJC and Office of Attorney Ethics and FBI per 18 U.S.C. Section 4 Misprison of felony and Clifford Lundin, Esq., Winifred Straub, and many Officials in the Borough of Stanhope, developer E.N.F. Development Co. LLC and many professional engineers and professional planners and field inspectors for preparing false inspection reports for the illegally developed and sold properties on 2 and 6 Oak Drive, Stanhope, NJ 07874 as the transcript records obtained by Thomas Caggiano from the Office of Attorney General's Board of Engineers, now published on <http://thomascaggiano.com/transcripts> are adopted as referenced exhibits wherein James Sedivy, PE for the STATE of NJ admits he never even looked at 1/2 the subdivision on Block 10902 Lot 12 that itself

had critical slope variances and many safety features defined in the Board of Adjustment agreement with the former owner Eleanor Dawalt forming the reconfigured two home plan with integrated storm sewer / gutter collection system and required compliance and approval by the DEP of any changes to plans approved and for compliance with federal, state, county and municipal laws which were violated repeatedly. Dozens of officials and private property owners adjacent to the illegally developed properties have requested investigations as I am now a directed witness to the HQ, FBI by the DOJ Inspector General of the Department of Justice, the U.S.P.S. Inspection Service for mail fraud, criminal conspiracy and harassment across state line of myself and my wife Kathryn. Continuing reports are mailed to the Chicago, IL criminal investigators as directed by the HQ, U.S.P.S. office in Arizona and as I was also directed by the FBI Special Agent in Charge, Nv as I adopt the letter to me by the FBI Special Agent published on <http://thomascaggiano.com/fbi.jpg> and the deeds printed out by the former Sussex County Clerk's staff on now published by Inside on the Outside on <http://thomascaggiano.com/deeds.pdf>

2. Introduction and Notice of Law and Adjudicative Facts. Thomas Caggiano has been illegally denied access to any government record in the Borough of Stanhope in violation of the Open Public Meeting Act, Court orders of Judge Bozonelis, A.J.S.C. and Judge Rand, J.S.C. under Docket SSX-L-847-07 court order to the Borough of Stanhope to respond to written Open Public Record Act requests, has previously been found guilty by the GRC to have violated many OPRA laws under GRC 2006-02 against its Town Administrator Teri Massood who ran away from the Borough of Stanhope and admitted in testimony she destroyed government records and the OPRA custodian Antonittee Battaglia admitted in writing and under oath she willfully refused to provide a copy of any government record on the illegally development minor Sub-division as determined by my successful third party appeal of Sussex County Soil Conservation District's certification of a falsely submitted, altered Soil Erosion and Sediment Control Plan by E.N.F. Development Co. LLC and wheres under [ettu 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. Judge Dana has violated Rules of the Court in his proceedings in the Joint Municipal Court of Green, Fredon, Hampton and Andover issuing court orders that violate due process, civil rights

under color of law, and violate

RULE 1:38. Public Access to Court Records and Administrative Records

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.

and also violates rules in providing copies of court transcripts on CD-ROM mandated by court rules in my Appellate Division appeal A-001721-10. Judge Dana's court orders also violate OPRA, OPMA, due process, common law and the court orders issued by Superior Court Judge Bozonelis, A.J.S.C. and Judge Rand, J.S.C. under Docket SSX-L-847-07, and prevent me from reporting violations of safety and health to the Code Enforcement Official or obtaining copies of the Chief of Police wherein voluntary police reports reported alleged improper and criminal conduct by Stanhope officials and bribed professional planners and engineers in Land Use Board meetings wherein Dolan and Dolan PA engaged in conspiracy and fraud and trickery and Town Council meetings, false Statements of Information signed under oath by Richard A. Stein, Esq. of Laddey, Clark and Ryan LLC the corrupt law firm with Andrew Fraizer of Laddey, Clark and Ryan LLC as exculpatory evidence was NOT presented and I adopt the two faxes to my by the Stillwater Township by Ms J. Fisher to my court record request of Jun 10, 2011 as proof thereof as para 7 of the court orders violated court rules AND "NO CONTACT WITH SSX Soil Dist except their counsel which violates the Bill of Rights and Constitution of NJ, OPMA and OPRA. As stated by Superior Court Judge Shuster, J.S.C. under Docket MER-C-107-02 Thomas Caggiano as a citizen has every right to Attend an Open Public Meeting at a designated location and to as allowed in the NEW Open Public Meeting Act to talk in mandatory Open Discussion sessions. Under the now dismissed with prejudice criminal ind 08-09-316-I against the STATE of NJ two mental evaluations found me NOT a threat to any person, myself or private property. Other voluntary mental evaluation reports which the corrupt probation

official admitted she obtained without my permission would be a \$250,000 fine and 10 year federal prison sentence alone. The Borough of Stanhope has refused copies of my own voluntary police reports signed by the Stanhope Police as I handed the observations of criminal conduct in Town Council meetings to the Police officers therein and they signed such records. The records included many voluntary police reports AFTER I testified at the Land Use Board, under oath, against the developer, Town Administrator and Sussex County Soil Conservation District and was then threatened by 3 telephone calls by a person calling himself Esposito who per the Police investigation used telephone pre-paid cards at public telephones and Mr. Frank Dawalt Jr., part owner of E.N.F. Development Co. LLC who lied to the federal OSHA investigator that he was only a project coordinator and NOT the owner of the property never posted the required Soil Erosion and Sediment Control Plan certified by the Department of Agriculture and also approved by the Borough of Stanhope per State laws as NONE ever existed for the Project Block 10902 Lots 10 and 12, 2 and 6 Oak Drive, Stanhope, N.J. 07874 nor did John Cilo Jr. Associates have a valid contract per the Local Public Contracts Law as Borough Engineer or Land Use Board "Board engineer" nor Omland Engineering Associates as municipal engineer as fraudulent perjured submittals are common place by the Borough of Stanhope lawyer Richard A. Stein, and others therein to investigators and courts on a repeated basis for last ten years or more.

3, Whereas I adopt by reference as a part of this Verified Certified Affidavit my letter sent to the FBI, N.J. Attorney General, OAC, ACJC, OAE, U.S.P.S. Inspection Service dated and filed in Morris County Superior Court under Docket SSX-L-847-10 wherein another corrupt Laddey, Clark and Ryan LLC lawyer being Richard A. Stein, Esq. as both he and William Hinkes, Esq. are under investigation by the OAE for massive violations of Rules of Professional Conduct, wherein judicial fraud, complicity, perjury, bribery of John Cilo Jr., a person pretending to be officials of the Borough of Stanhope as Board Engineer and then as some false title Land Use Board Board Engineer submitted perjured Annual Financial Reports to the Department of Community Affairs and with Dolan and Dolan PA directed developers and private property owners to illegally change the title blocks on drawings and maps such as Soil Erosion and Sediment Control Plans and other plans on all projects from municipal engineer per the Map Filing Law from municipal engineer or borough engineer to the phoney title Land Use Board Board Engineer violating the State's Map Filing Law and

whereas the Borough of Stanhope by fraudulent submittals to Superior Courts and municipal courts and the public for years of mail fraud, mail conspiracy and harassment of Mary Pawar, Iqbal Pawar, Thomas Caggiano, Kathryn Caggiano, and threatened its federal informant its municipal clerk Mr. Robin Kline, RMC who reported massive violations of laws to 10 agencies for 1.5 years, wherein Richard Stewart the Town Administrator of Stanhope posted the C.E.P.A. notice in his first week as Town Adminisrator and replaced the corrupt former Town Administrator and part time municipal treasurer Teri Massood who fled the Borough of Stanhope as the Government Record Council made findings the former Town Adminstrator Teri Massood and former Antonittee Battgalia both violated OPRA in denial of access of records as Richard A. Stein, Esq. committed perjury in the Township of Green Municipal Court by falsely stating the Borough of Stanhope had obtained copies of all documents requested which included copies of minutes, bills, invoices, plans, et. al. and whereas Richard Stein, Esq. also falsely told Judge James Geraghty, ALJ are recorded in 14 pages of notes of conference hearings on the Denial of Access already determined by the GRC that all documents requested were provided, and also falsely told Judge Bozonelis, A.J.S.C. that I submitted 800 OPRA requests ALL on Zoning in two years which was repeated false information provided by the State of NJ in cases before Superior Courts and municipal courts, whereas 13 Separate criminal charges made by Borough of Stanhope officials and employees were made in Ind 08-09-316-I State of NJ vs. Thomas Caggiano and ALL malicious charges were dismissed with prejudice against the State of NJ, whereas the corrupt accomplice of the Borough of Stanhope the GRC's executive director Catherine Starghill, Esq. also committed perjury in her petty disorder complaint filed in the City of Trenton municipal court and upon my municipal appeal to the Mercer County Superior Court and Mercer County Prosecutor who twice wrote Judge Ostrer, J.S.C. to dismiss the petty disorder charge I was found NOT guilty. The repeated pattern of using petty disorder charge of harassment by the State of NJ to prevent the presentation of grievances and reporting of violations of safety and health laws to the Code Enforcement Official on Stanhope Arlene Fisher who requested investigations of many Borough of Stanhope officials including the current Mayor Diana Kuncken then Town Council President, as the Stanhope Environmental Commission, State Senators Codey and Littel, Assemblywoman Mc Hose, Assemblyman Gregg, and more then fifteen property owners signed numerous petitions demanding investigations, and whereas the Sussex County Administrator has

requested investigations by the Sussex County Prosecutor David Weaver, Esq. the former law partner fo William Hinkes, Esq. who had NO valid contract to be a municipal prosecutor in the Joint Municipal Court in Green, Fredon, Hampton and Borough of Andover as fraud, false billings and payments were made therein as a resolution required by four municipalities to retain his services was signed with an effective date BEFORE signing said instrument making the instrument a document that did NOT comply with N.J. Case law that all such contracts must be in writing and an agreement can NOT have an effective date prior to the date of the last signed official. Whereas the State Soil Cpnsevation Comission confirmed by appeal the State's Department of Agriculture that a Soil erosion and sediment control plan must be submitted for a minor subdivision for as noted on the deeds obtained from the Sussex County Clerk and provided the Board of Chosen Freeholders of Sussex County with 1.5 feet of evidence available to any person under OPRA, the deeds were issued fraudulantly by E.N.F. Development Co. LLC who was protected by the State's Sussex County Clifford Lundin, Esq. the Chair of SCSCD, Winifred Straub the then manager of SCSCD and by John Cilo Jr. pretending to be an official of Stanhope by signing two certifications for only 1/2 the Project on Block 10902 Lot 10 and whereas Brian Smith, Esq. threatened Thomas Caggiano with a criminal conviction for requesting a copy of the second signed certified Soil Erosion and Sediment Control Plan that the Department of Agriculture's Brian Smith and William Haggerty as OPRA custodians denied existed a false statement by both for false drawings in two foot contour lines

were submitted by E.N.F. Development Co. LLC to the SCSCD which agreed to changes but the WETLAND PERMIT issued on 2 Oak Drive required compliance with the State regulations such as State Soil Conservation and Sediment Control Act which the executive secretary James Sadley in my successful appeal noted the District was NOT even aware the first part of the Sub-division was constructed and built and sold without their knowledge as I brought the Project to the attention of SCSCD after asking the corrupt Richard Stein, Esq. which executive agency has oversight responsibility but his response being SCSCD was willfully deleted from the official minutes making it appear to the public that I asked with court to take evidence of violations of safety and health laws. As such, proven on State records beyond any reasonable doubts is the complicity and conspiracy among dozens of persons acting in official capacities with trickery, fraud, mail fraud, violations of codes of ethics by Judges, State and Municipal Prosecutors and various

judicial employees. Wherein the former Deputy court administrator Tana Ell now Wantage Court administrator per her duties under 18 U.S.C. Section 4 Misprison of felony and N.J.S.A. 2C:2-1 has been reporting the alleged criminal conduct of Superior Court and municipal judges, State and municipal prosecutors and others to the FBI and State Police Official Corruption Bureau, as well as others, whereas Judge Dana has violated my civil rights under his corrupt court orders in the Township of Green which deny me my U.S. Constitutional Rights and State of NJ Constitutional Rights to attend open public meetings, submitted complaints of safety and health violations to the Code Enforcement official and submit any affidavit of probable cause and have signed any CDR in the municipal court in the Borough and issued court orders in conflict with Judge Bozonelis, AJSC that the Borough of Stanhope had to respond to written OPRA requests, that I could attend Open Public meeting and make presentation of grievances in the Open Public Discussion period with notice of my expected presentation which was done by me in writing.

Department of Agriculture
Certifications on plans never approved by Stanhope
 SUSSEX COUNTY SOIL CONSERVATION DISTRICT
 188 Halsey Road, Suite 2, Newton, NJ 07860 (973) 879-5074

SOIL EROSION AND SEDIMENT CONTROL PLAN CERTIFICATION STATUS REPORT

Client: Clement M. Davalos MUNICIPALITY: Stanhope

PROJECT: Davalos single family home - Corner East & Oak Drives

Application # SS-44 Block # 10902 Lot # 10

REVISIONS CERTIFIED * CONDITIONALLY CERTIFIED

Authorized Signature: [Signature] Date: October 8, 2002

Oct 8, 2002 first false certified plan by Clifford Lundin, esq. for only 1/2 the project

Plan Prepared: _____ Revision Dates: _____

Project, minor subdivision, 2 and 6 Oak Dr Block 10902 Lots 10 and 12 Stanhope 07874

thomascaglano.com

THE SECOND CRIMINALLY FALSE CERTIFIED SEDIMENT CONTROL PLAN FOR THE PROJECT

SUSSEX COUNTY SOIL CONSERVATION DISTRICT

188 Halsey Road, Suite 2, Newton, NJ 07860 (973) 879-5074

SOIL EROSION & SEDIMENT CONTROL PLAN CERTIFICATION STATUS REPORT

TO: Frank Davalos, Jr. MUNICIPALITY: Borough of Stanhope

PROJECT: Davalos single family home/KNY Development Co. LLC REVISIONS

Application # SS-44 Block # 10902 Lot # 10

REVISIONS CERTIFIED * CONDITIONALLY CERTIFIED

Authorized Signature: [Signature] Date: March 24, 2004

NEVER APPROVED BY STANHOPE

NOTE 2 LOTS AS REB CRIMINALLY FALSE

↑ CORRUPT STATE OFFICIAL CLIFFORD LUNDIN CHAIRMAN SEDD SIMPLY

Plan Prepared: _____ Revision Dates: _____

Whereas a speedy trial is mandated by the Constitution and Judge Dana and any Superior Courts have violated these civil rights for 8 months as the municipal prosecutor demanded a change in venue by his own conflict of interest, I therefore, demand per my constitutional rights and adopt the letter now filed in the

Morris County Superior Court with the Clerk and Judge David Rand, J.S.C. under Docket SSX-L-847-07 and adopted by reference the hundreds of pages of evidence referenced and adopted therein to this Verified Certified Affidavit in justify this court motion to Dismiss with Prejudice the petty order convictions in the Joint Municipal Court of Hampton/Stillwater on malicious charges by Winifred Straub the manager of the State's Sussex County Soil Conservation District who engaged in fraud and trickery, conspiracy with the developer E.N.F. Development Co. LLC, the Borough of Stanhope and the Sussex County Prosecutor's Office and others.

Attached is the letter to the FBI, N.J. AG, Commissioner of Community Affairs, and Supreme Court, U.S.P.S. Inspection Service adopted by reference to support this MOTION for reasons noted herein.

That letter is published by Inside on the Outside, a State of Nv business, on <http://thomascaggiano.com/120113rand.pdf> dated Jan 13, 2012, Subject: Docket SSX-L-847-07 Borough of Stanhope vs. Thomas Caggiano and State's of NJ Government Record Council (GRC) Notice of Moving Papers for Motions for Sanctions by the Morristown Superior Court for violation of its own court order by the Borough of Stanhope for NOT responding to written Open Public Record Act (OPRA) , Change of Venue and Show Cause order for denial of access to court records, Borough of Stanhope Police Voluntary Reports prepared by Thomas Caggiano and witnessed by various Stanhope Police employees to document massive corruption observed in Town Council and Land Use Board meetings and other racketeering events and for willful defiance of the Superior Court order issued under Docket SSX-L-847-07 Borough of Stanhope vs. Thomas Caggiano and GRC by Laddey, Clark and Ryan LLC's corrupt Borough of Stanhope Attorney Richard A. Stein, Esq. who has been under investigation by the Supreme Court's Office of Attorney Ethics Investigator Harry Norton Jr. under Docket XIV-2010-2006E, Thomas Caggiano vs. Richard A. Stein, Esq. for massive violations of the Code of Ethics for lawyers, by the U.S. P.S. Inspection Service, Patricia S. Sweeney, Manager, 222 South Riverside Plaza, Suite 1250, Chicago, IL for mail fraud, criminal conspiracy and harassment, and other Federal and State agencies including the Department of Justice's HQ FBI as directed by the DOJ Acting Inspector Generald and the Borough of Stanhope Mayor Diana Kuncken and Gpverning Body members and the OPRA custodian Ellen Horak and corrupt Joint Municipal Court of Green, Fredon, Hampton and Borough of Andover, engaged in Judicial

Conspiracy with fraud, mail fraud, conspiracy, Violation of Rules of Ethics called Rules of Professional Conduct by misconduct by Richard A. Stein, Esq. by deception, obstruction of administration of law with the corrupt Judge N. Peter Conforti, J.S.C. and Sussex County State Prosecutor's Office in Newton, N.J. and Violation of HIPAA Privacy Rules with willful intent in violations of 18 U.S.C. 2, 241, 242 and 1342 criminal coercion, federal witness retaliation, defamation of my character, false imprisonment, terrorism, obstruction of law, conspiracy, mail fraud numerous parties to engage in trickery, manifest injustice, and denial of due process and civil rights, Open Public Meeting Act, Open Court Records, and the Constitutions of the United States and New Jersey. A copy of the letter will be submitted as a hard copy to the Court.

A certified return receipt of this pleading and suggest court order will be filed with the excellent municipal court administrator Tana Ell of the Joint Municipal Court of Sussex, Wantage and Stillwater. All references therein are also adopted as relevant exhibits to this Notice of Motion and proposed court order.

I certify the foregoing 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.

Signed electronically *Thomas Caggiano* Jan 18, 2012

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State of New Jersey,	Municipal COURT of NEW JERSEY
	Joint Municipal Court of Sussex, Wantage and Stillwater
PLANTIFF,	Docket S-2003-000084-1910 and S-2003-000083-1910
vs.	ORDER
THOMAS CAGGIANO	

THIS MATTER being opened to the Court by the Defendant Thomas Caggiano on Jan 18, 2012 and for good cause having been shown that his constitutional rights were violated, that the State of New Jersey did NOT comply with the Rules of the Court, imposed sentences that violate the U.S. Constitution, N.J. Constitution, OPRA and violated other rules of the court and the municipal prosecutor Laddey, Clark and Ryan LLC did NOT fullfil its duty under Rules of Professional Conduct RPC 3.8 Special Responsibility of a Prosecutor,

IT IS ON THIS ____ day of _____,

ORDERED that the Convictions are Dismissed with Prejudice against the State of N.J.

Hon. Craig U. Dana, J.M.C.