

# **NJ LAWS EMAIL NEWSLETTER E44**

## **Kenneth Vercammen, Attorney at Law**

June 12,

### **In this issue:**

1. Wills and Estate Planning- Free Seminar; Wednesday June 18; 12:1  
1:00 PM and also 5:00-5:45

2. Annual Happy Hour & Networking Social; Friday, July 18, 2014; 5:  
to 7:00PM; at Bar Anticipation

Recent cases:

3. Alcotest Results Admissible Despite Failure of State To Produce Mac  
Data

4. DWI dismissed where state misplaced file for 16 months

5. Fun Upcoming Running Races Charity Events

**1. Wills and Estate Planning- Free Seminar; Wednesday June 18; 1  
1:00 PM and also 5:00-5:45**

Location: Law Office of Kenneth Vercammen,  
2053 Woodbridge Ave, Edison, NJ 08817

COST: Free if you pre-register. This program was sold out in January  
program is limited to 15 people. Complimentary materials provided at  
sharp. Please bring a canned food donation, which will be given to t  
James Food Bank located on Woodbridge Avenue in Edison, NJ. Please

us if you plan on attending or if you would like us to email the materials.

**SPEAKER: Kenneth Vercammen, Esq.**

(Author- Answers to Questions About Probate)

The NJ Probate Law made a number of substantial changes in Probate and administration of estates and trusts in New Jersey.

Main Topics:

1. The New Probate Law and preparation of Wills
2. 2014 changes in Federal Estate and Gift Tax exemption
3. NJ Inheritance tax & NJ Estate Tax for estates over \$675,000
4. Power of Attorney
5. Living Will
6. Administering the Estate/ Probate/Surrogate
7. Question and Answer

COMPLIMENTARY MATERIAL: Brochures on Wills, "Answers to Questions about Probate" and Administration of an Estate, Power of Attorney, Living Wills, Real Estate Sales for Seniors, and Trusts.

To attend email [VercammenLaw@Njlaws.com](mailto:VercammenLaw@Njlaws.com)

## **2. Annual Happy Hour & Networking Social; Friday, July 18, 5:00PM - 7:00PM at Bar Anticipation**

703 16th Avenue

Lake Como/ Belmar, NJ 07719

Free !

5-7PM Hot & Cold Buffet

The reduced price Happy Hour is 6-7PM with \$1 House Drink, Bud/draft & House Wine Special

Please bring a canned food donation for the St. James Food Bank

Hope, continuing providing food and help to individuals in need.

Email Ken Vercammen's Law Office so we can put your name on the list for wristbands. [VercammenLaw@Njlaws.com](mailto:VercammenLaw@Njlaws.com)  
<https://www.facebook.com/events/224304321089890>  
[www.njlaws.com/happy-hour.html](http://www.njlaws.com/happy-hour.html)

Co-sponsored by Co-sponsored by NJ State Bar Association Municipal Court Section, Criminal Law Sections, Young Lawyers Division, Family Section, Insurance Law Section, Minorities in the Profession Section, Construction Law Section, LGBT Lesbian Gay Bi Rights Section, Entertainment, Arts and Sports Law Section, Special Civil Part Comm School Law Special Committee, Special Committee for Paralegal, Insurance Defense Special Committee, Government and Public Sector Lawyers Special Committee, Antitrust Law Special Committee, Renewable Energy, Clean and Climate Change Special Committee, New Jersey Defense Association Burlington County Bar Association, Middlesex County Estate Planning Council, Local 9 Retired Police & Fire, NJAWBO (NJ Association of Women Business Owner's) Shore Region

Recent cases:

### **3. Alcotest Results Admissible Despite Failure of State To Produce Machine's Data. State v. Macri. Unreported A-0255-13T4**

The Law Division suppressed the evidence of the results of defendant's Alcotest breath examination. The Appellate Division reversed. Although defendants have the right to obtain all data about the Alcotest machines used to test them, the state's failure to provide the data due to a technical glitch does not cause to suppress machine readings, a New Jersey appeals court says. The loss of data caused by the failure of a machine's motherboard did not amount to a denial of due process, since there was no showing of bad faith by the

and the lost data was only potentially useful. Source Daily Brief  
03/17/2014

#### **4. DWI dismissed where state misplaced file for 16 months**

**State v. Downs**, App. Div. A-1688-12T4 Defendant appeals the Division order affirming the municipal court's denial of his motion to dismiss outstanding charges on speedy trial grounds. Defendant entered a conditional plea to driving while intoxicated (DWI), reserving his right to pursue appeal. Defendant actively attempted to bring this matter to an end by requesting discovery around the time the indictable charge against him was dismissed, to no avail. Despite his best efforts to obtain discovery, he was off and shuttled between the Hamilton Township Police Department (HTPD) and the Mercer County Prosecutor's Office. Because the file could not be located, however, discovery was not provided until some sixteen months later. The Supreme Court decided *State v. Cahill* after the Law Division's decision in this case. In *Cahill*, the Supreme Court noted that "[once a defendant alleges a violation of his right to a speedy trial, the government is required to identify the reason for the delay. Misplacing a DWI file is not an adequate reason for a sixteen-month delay. The appellate panel reverses the finding of the Division judge and dismisses the matter. Source New Jersey Law Journal February 21, 2014

#### **5. Fun Upcoming Running Races Charity Events**

If you are attending any of these charity races, please call or email me. V. Often we car pool or meet at these events.

June 14/ 2014 George Sheehan 5k, 8:30 Red Bank jsrc.org - benefiting I Family Clinic [www.sheehanclassic.org](http://www.sheehanclassic.org)

June 15 Fuce 5K 8:30 Metuchen HS no awards but good cause

6/16 PRESIDENT'S CUP NIGHT RACE 5K, 8pm, Charlie Browns, Mi  
Free beer, big post race party <http://register.compuscore.com/presidents-c>

6/20 Swim Shark River Belmar 6:30 w Sandy Hookers Triathlon Club

6/21 Rumson Hash's 10 mile, 10 bar- Long Branch to Belmar This is  
race.

6/22 Yankees Old Timers day

6/23 Swim Shark River Belmar 6:30 w Sandy Hookers Triathlon Club