

**KENNETH VERCAMMEN
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Attorney for defendant d1

STATE OF NEW JERSEY
Plaintiff,

v.
d1
Defendant

MUNICIPAL COURT OF m1

Complaint No.
Criminal Action

OBJECTION TO ENTRY OF
LABORATORY CERTIFICATE AS
EVIDENCE AT TRIAL

TO : Municipal Prosecutor of m1
Municipal Court of m1

Pursuant to N.J.S.A. 2C: 35-19, the defendant through attorney, Kenneth A. Vercammen, does hereby object to the entry of proffered laboratory certificate as evidence at the time of trial in this matter, pursuant to State v. Berezansky 386 NJ Super. 84 (App. Div. 2006), **State v. Kent** 391 NJ Super. 352 (App. Div. 2007) **State v. Renshaw** 390 NJ Super. 456 (App. Div. 2007), State v. Simbara 175 NJ 37 (2002) and State of New Jersey in the Interest of C.D. and P.G. 354 NJ Super. 457 (App. Div. 2002). The certificate is illegible, and has not been certified in accordance with N.J.S.A. 2C: 35-19 (b). The certificate fails to establish the type of analysis performed, the subscriber's full training and experience, the nature and condition of the equipment used, or the full conclusions reached by the subscriber. Defendant also objects to it on the grounds that Defendant intends to contest at trial the composition, quality, and quantity of substances submitted to the laboratory for analysis.

The State has failed to provide all results and notes pursuant to State vs. Weller 225 N.J. Super. 274 (Law Div. 1986). The defense requests these results and notes.

The defense requests to be provided with the operator's manual for all instruments used to test the substances, pursuant to State v Ford 240 N.J. Super. 44 (App. Div. 1990). Defense requests all operating procedures, instruction manuals, test protocols, maintenance logs of the gas chromatograph or equipment used, performance evaluations, and test result printouts.

PLEASE TAKE FURTHER NOTICE that at the time of trial, the defendant shall contest the chain of custody with respect to the sample, and subsequent tests performed thereon.

Dated _____
