

NJ LAWS EMAIL NEWSLETTER E477

Kenneth Vercammen, Attorney at Law

September 29, 2015

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E478

**1. Welcome Craig's Deli II to 2045 Woodbridge Ave., Edison, NJ
(732) 287-9299**

A recent review says "Best sub place in Edison! Better than taste sub shop and better than super duper deli! Owners are so nice always asking how you are doing. Great prices! And also very very good breakfast sandwiches too!!! You should definitely stop in and try it you won't be disappointed!!!"

Plus morning coffee

<https://www.facebook.com/Craigs-Deli-II-119759894772202/timeline/>

Recent important cases:

2. Police could enter home for dropped 911 call. State v. Reece ___NJ ___ (2015)(A-79/80-13)

The emergency-aid doctrine justified the officers' warrantless entry into defendant's home. Based thereon, defendant's conviction for resisting arrest is affirmed, and defendant's conviction for obstruction is reinstated.

A jury convicted defendant Brian Firman of third-degree possession of cocaine, third-degree possession of cocaine with intent to distribute and third-degree distribution of cocaine. Defendant appealed, asserting that a detective's testimony impermissibly crossed into expert testimony. Only if a police officer is properly qualified as an expert witness may he or she give opinion testimony explaining the implications of observed behaviors that may be beyond the understanding of a juror. In multiple portions of his direct examination, the detective expressed opinions that he was not allowed to make as a fact witness. The state did not dispute defendant's contention that the testimony exceeded its permissible scope. Nonetheless, the state asserts that any error was harmless due to the strength of the evidence against defendant. The appellate panel rejected that contention and reversed and remanded for a new trial, finding that the testimony impermissibly crossed into expert testimony and was capable of producing an unjust result.

3. Court should have adjourned case for defendant to hire own attorney. State v. Martinez 440 NJ Super. 537 (App. Div. 2015)

The court examined the tension between a trial court's discretionary "authority to control its own calendar" by denying an adjournment request and the need to safeguard "a defendant's Sixth Amendment right to a fair opportunity to secure counsel of his own choice" in light of *State v. Miller*, 216 N.J. 40, 62, 65 (2013). Guided by the framework for review set forth in *State v. Hayes*, 205 N.J. 522 (2011), the court concluded the denial of defendant's request to adjourn trial, without weighing the facts presented supporting the requested adjournment, reflects an arbitrary exaltation of expedience in case processing at the expense of defendant's right to counsel. Accordingly, the court vacated the judgment of conviction and remands the matter for a new trial.

4. Fun Upcoming Running Races Charity events Selected by Kenneth Vercammen

If you are attending any of these charity races, please call or email Ken V. at Kenv@njaws.com Often we car pool or meet at these events. I

update this list at: <http://vercammensport.blogspot.com/>

10/3 Metuchen Fair [not a race]

10/4 Jersey Shore Half Marathon & Lighthouse 5k Sandy Hook 9:05 , then nice view from On the Deck Restaurant in Atlantic Highlands

10/11 East Brunswick 5k & 10k 1pm RVRR new start EB Community Arts Center 721 Cranbury Rd. in East Brunswick)well run event Road closed to traffic www.ebrr.org , post race we go to Laurie's Lakeside on Farrington Lake, North Brunswick

10/17 Cranford 5k co-sponsor by Wakefern Shoprite

10/18 Shrewsbury 5k 9am

10/24 Univ of Delaware 5k

10/25 Trick or Trot 5k 11am now at Deal Casino

10/28 RVRR Halloween pub-crawl New Brunswick

5. HELP WANTED- Clerk for Law Office- envelope stuffing, misc. clerk duties Oct 1- Nov 30

Monday-Friday

2-3 hours per day Monday- Friday start 8:55am

\$8.50 per hour

OTHER DUTIES

-Adding client names to computer database, prepare letters, and work on client traffic ticket matters.

- Preparation of documents on Computer and mail to courts

-Telephone Answering

-General Office duties in Law Office

-Update mailing/ client lists and learn marketing

-All other work needed including working on litigation cases

Must be dependable and committed to perfection.

A good way to learn law office procedures

Call Law Office of Kenneth Vercammen & Associates
732-572-0500

Check out our website at www.njlaws.com to see more information on our law office.

6. Next free community seminars

October 5, 2015 Power of Attorney & Living Will Seminar
North Brunswick Chapter #3885 of AARP at 1pm

October 6, 2015 Colonia Seniors
Wills, Estate Planning & Probate Seminar
at 1:00pm
Colonia Firehouse 250 Inman Ave., Colonia, NJ 07067

October 12, 2015 North Edison Library Wills, Estate Planning & Probate
Seminar at 7pm

New App Connects Public, Attorneys to Municipal Courts

The New Jersey Judiciary has developed a mobile app that connects the public and attorneys to resources in the state's municipal courts, Chief Justice Stuart Rabner announced today.

The NJMC (New Jersey Municipal Courts) app, available for Apple, Android and Windows mobile devices, presents information about the municipal courts available on the Judiciary's website, njcourts.com, in an easy-to-use mobile format.

Using convenient one-touch links, users can pay traffic tickets and access the location, court hours, court leadership and contact information and directions to the state's 506 municipal courts and resources, including municipal division offices and information on how the municipal courts operate.

"The development of the NJMC app is another example of how the Judiciary is working to connect the public to useful information on our

website in a convenient way," said Chief Justice Rabner. "People come into contact with the municipal court more than any other part of the court system, so we hope that this information will be extremely valuable."

The app is divided into three sections. The first allows users to pay traffic tickets online through NJMCdirect, the second is a searchable, alphabetical listing of the state's municipal courts, and the third includes links to the publication "Your Day in Municipal Court," which answers the most-asked questions about how a typical municipal court case proceeds.

The NJMC app is the third app the Judiciary has developed. The NJAttorney app, released last year, has information attorneys use most frequently, including Notices to the Bar, directions and contact information for courthouses and the court rules and rules of evidence.

The NJJuror app, released in 2013, offers jurors convenient access to information about their jury service, including directions, parking information, call-off messages and announcements, and contact information for local jury managers. A list of frequently asked questions and a link to the "You, the Juror" introductory video that all jurors watch at the beginning of their jury service also are available. All three apps are available for Apple, Android and Windows mobile devices.

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KENNETH VERCAMMEN & ASSOCIATES, PC

ATTORNEY AT LAW

2053 Woodbridge Ave.

Edison, NJ 08817

(Phone) 732-572-0500

(Fax) 732-572-0030

website: www.njlaws.com