



# Judgment of Conviction

## Superior Court of New Jersey, MONMOUTH County

**State of New Jersey v.**

Last Name  
HALDER

First Name  
ANDREW

Middle Name  
G

Also Known As

Date of Birth  
07/02/1980

SBI Number  
452888G

Date(s) of Offense  
08/30/2015

Date of Arrest

PROMIS Number  
15 004034-001

Date Ind / Acc / Complt Filed  
01/12/2018

Original Plea  
 Not Guilty  Guilty

Date of Original Plea  
01/12/2018

Adjudication By  Guilty Plea  Jury Trial Verdict  Non-Jury Trial Verdict  Dismissed / Acquitted Date: 01/12/2018

### Original Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
18-01-00054-A	1	STRICT LIABILITY VEHICULAR HOMICIDE	2C:11-5.3A	3

### Final Charges

Ind / Acc / Complt	Count	Description	Statute	Degree
18-01-00054-A	1	STRICT LIABILITY VEHICULAR HOMICIDE	2C:11-5.3A	3

### Sentencing Statement

It is, therefore, on 04/05/2018 **ORDERED and ADJUDGED** that the defendant is sentenced as follows:  
COUNT 001 DEFENDANT IS SENTENCED TO THREE (3) YEARS PROBATION.

MV 1304-CN-0658 FINE: \$500; COSTS: \$33; VCCB: \$50; DWI: \$125; SNSF: \$75; DAEF: \$100; OTHER: \$6.00 FOR A TOTAL OF \$889.00. PERIOD OF DL SUSPENSION: SEVEN (7) MONTHS; IDRC: TWELVE (12) HOURS; IGNITION INTERLOCK SIX (6) MONTHS.

MVS 1304-CN-0659 AND 1304-CN-0660 ARE DISMISSED

DEFENDANT IS SENTENCED TO ONE HUNDRED (100) HOURS OF COMMUNITY SERVICE.

DEFENDANT TO UNDERGO DNA TESTING.

DEFENDANT TO OBTAIN SUBSTANCE ABUSE TESTING, COUNSELING AND TREATMENT AS RECOMMENDED BY THE PROBATION DEPARTMENT.

DEFENDANT TO MAINTAIN FULL TIME EMPLOYMENT.

DEFENDANT TO ATTEND PSYCHIATRIC/PSYCHOLOGICAL EVALUATION/TREATMENT.

It is further ORDERED that the sheriff deliver the defendant to the appropriate correctional authority.

Total Custodial Term  
000 Years 00 Months 000 Days

Institution Name

Total Probation Term  
03 Years 00 Months

<b>DEDR (N.J.S.A. 2C:35-15 and 2C:35-5.11)</b>		<b>Additional Conditions</b>																					
A mandatory Drug Enforcement and Demand Reduction (DEDR) penalty is imposed for each count. (Write in number of counts for each degree.) <input type="checkbox"/> DEDR penalty reduction granted (N.J.S.A. 2C:35-15a(2))		<input checked="" type="checkbox"/> The defendant is hereby ordered to provide a DNA sample and ordered to pay the costs for testing of the sample provided (N.J.S.A. 53:1-20.20 and N.J.S.A. 53:1-20.29). <input type="checkbox"/> The defendant is hereby sentenced to community supervision for life (CSL) if offense occurred before 1/14/04 (N.J.S.A. 2C:43-6.4). <input type="checkbox"/> The defendant is hereby sentenced to parole supervision for life (PSL) if offense occurred on or after 1/14/04 (N.J.S.A. 2C:43-6.4). <input type="checkbox"/> The defendant is hereby ordered to serve a _____ year term of parole supervision, pursuant to the No Early Release Act (NERA), which term shall begin as soon as the defendant completes the sentence of incarceration (N.J.S.A. 2C:43-7.2). <input type="checkbox"/> The court imposes a Drug Offender Restraining Order (DORO) (N.J.S.A. 2C:35-5.7h). DORO expires _____ <input type="checkbox"/> The court continues/imposes a Sex Offender Restraining Order (SORO) if the offense occurred on or after 8/7/07 (Nicole's Law N.J.S.A. 2C:14-12 or N.J.S.A. 2C:44-8). <input type="checkbox"/> The court imposes a Stalking Restraining Order (N.J.S.A. 2C:12-10.1). <input type="checkbox"/> The defendant is prohibited from purchasing, owning, possessing, or controlling a firearm and from receiving or retaining a firearms purchaser identification card or permit to purchase a handgun (N.J.S.A. 2C:25-27c(1)).																					
<table style="width:100%; border-collapse: collapse;"> <tr> <td style="width:50%; text-align: center;"><b>Standard</b></td> <td style="width:50%; text-align: center;"><b>Doubled</b></td> </tr> <tr> <td>1st Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>2nd Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>3rd Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>4th Degree _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>DP or _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> <tr> <td>Petty DP _____ @ \$ _____</td> <td>_____ @ \$ _____</td> </tr> </table> <p style="text-align: center;"><b>Total DEDR Penalty \$ _____</b></p> <input type="checkbox"/> The court further ORDERS that collection of the DEDR penalty be suspended upon defendant's entry into a residential drug program for the term of the program. (N.J.S.A. 2C:35-15e)		<b>Standard</b>	<b>Doubled</b>	1st Degree _____ @ \$ _____	_____ @ \$ _____	2nd Degree _____ @ \$ _____	_____ @ \$ _____	3rd Degree _____ @ \$ _____	_____ @ \$ _____	4th Degree _____ @ \$ _____	_____ @ \$ _____	DP or _____ @ \$ _____	_____ @ \$ _____	Petty DP _____ @ \$ _____	_____ @ \$ _____	Forensic Laboratory Fee (N.J.S.A. 2C:35-20) _____ Total Lab Fee \$ _____ Offenses @ \$ _____							
<b>Standard</b>	<b>Doubled</b>																						
1st Degree _____ @ \$ _____	_____ @ \$ _____																						
2nd Degree _____ @ \$ _____	_____ @ \$ _____																						
3rd Degree _____ @ \$ _____	_____ @ \$ _____																						
4th Degree _____ @ \$ _____	_____ @ \$ _____																						
DP or _____ @ \$ _____	_____ @ \$ _____																						
Petty DP _____ @ \$ _____	_____ @ \$ _____																						
<b>VCCO Assessment (N.J.S.A. 2C:43-3.1)</b>		<b>Findings Per N.J.S.A. 2C:47-3</b>																					
<table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:20%;">Counts</th> <th style="width:10%;">Number</th> <th style="width:10%;">@</th> <th style="width:59%;">Amount</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>1</td> <td>@</td> <td>\$ 50.00</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> <tr> <td>_____</td> <td>_____</td> <td>@</td> <td>\$ _____</td> </tr> </tbody> </table> <p style="text-align: center;"><b>Total VCCO Assessment \$ 50.00</b></p>		Counts	Number	@	Amount	1	1	@	\$ 50.00	_____	_____	@	\$ _____	_____	_____	@	\$ _____	_____	_____	@	\$ _____	<input type="checkbox"/> The court finds that the defendant's conduct was characterized by a pattern of repetitive and compulsive behavior. <input type="checkbox"/> The court finds that the defendant is amenable to sex offender treatment. <input type="checkbox"/> The court finds that the defendant is willing to participate in sex offender treatment.	
Counts	Number	@	Amount																				
1	1	@	\$ 50.00																				
_____	_____	@	\$ _____																				
_____	_____	@	\$ _____																				
_____	_____	@	\$ _____																				
<b>Vehicle Theft / Unlawful Taking Penalty (N.J.S.A. 2C:20-2.1)</b>		<b>License Suspension</b>																					
Offense _____ Mandatory Penalty \$ _____		<input type="checkbox"/> CDS / Paraphernalia (N.J.S.A. 2C:35-16) <input type="checkbox"/> Waived <input type="checkbox"/> Auto Theft / Unlawful Taking (N.J.S.A. 2C:20-2.1) <input type="checkbox"/> Eluding (N.J.S.A. 2C:29-2) <input type="checkbox"/> Other _____																					
<b>Offense Based Penalties</b>		<b>Other Fees and Penalties</b>																					
Penalty _____ Amount \$ _____		Number of Months _____ <input type="checkbox"/> Non-resident driving privileges revoked Start Date _____ End Date _____ Details _____ Driver's License Number _____ Jurisdiction _____ If the court is unable to collect the license, complete the following: Defendant's Address _____ City _____ State _____ Zip _____ Date of Birth _____ Sex <input type="checkbox"/> M <input type="checkbox"/> F Eye Color _____																					
<b>Other Fees and Penalties</b>		<b>Details</b>																					
Law Enforcement Officers Training and Equipment Fund Penalty (N.J.S.A. 2C:43-3.3) <input checked="" type="checkbox"/> \$ 30.00 Probation Supervision Fee (N.J.S.A. 2C:45-1d) <input checked="" type="checkbox"/> \$ 25.00 Transaction Fee (N.J.S.A. 2C:46-1.1) <input type="checkbox"/> Domestic Violence Offender Surcharge (N.J.S.A. 2C:25-29.4) <input type="checkbox"/> \$ _____ Fine \$ 1,000.00 Restitution Joint & Several <input type="checkbox"/> \$ _____		Safe Neighborhood Services Fund Assessment (N.J.S.A. 2C:43-3.2) <input checked="" type="checkbox"/> 1 Offenses @ \$ 75.00 Total: \$ 75.00 Statewide Sexual Assault Nurse Examiner Program Penalty (N.J.S.A. 2C:43-3.6) <input type="checkbox"/> Offenses @ \$ _____ Total \$ _____ Certain Sexual Offenders Surcharge (N.J.S.A. 2C:43-3.7) <input type="checkbox"/> \$ _____ Sex Crime Victim Treatment Fund Penalty (N.J.S.A. 2C:14-10) <input type="checkbox"/> \$ _____ Total Financial Obligation \$ 1,155.00																					
FINES AND PENALTIES ARE AS FOLLOWS: VCCA: \$50; LEOTF: \$30; SNSF: \$75; FINE: \$1,000; PROBATION FEE: \$25 FOR A TOTAL FINANCIAL OBLIGATION OF \$1,155.00. FINES AND PENALTIES TO BE PAID OVER PERIOD OF PROBATION.																							

Time Credits		
<b>Time Spent in Custody</b> R. 3:21-8 Date: From            - To         Total Number of Days _____	<b>Gap Time Spent in Custody</b> N.J.S.A. 2C:44-5b(2) Date: From            - To    Total Number of Days _____  <b>Rosado Time</b> Date: From            - To    Total Number of Days _____	<b>Prior Service Credit</b> Date: From            - To        Total Number of Days _____

**Statement of Reasons - Include all applicable aggravating and mitigating factors**

AGGRAVATING FACTORS  
 -----  
 9. The need for deterring the defendant and others from violating the law.

MITIGATING FACTORS  
 -----  
 7. The defendant has no history of prior delinquency or criminal activity or has led a law-abiding life for a substantial period of time before the commission of the present offense.  
 8. The defendant's conduct was the result of circumstances unlikely to recur.  
 9. The character and attitude of the defendant indicate that he/she is unlikely to commit another offense.  
 10. The defendant is particularly likely to respond affirmatively to probationary treatment.

COURT IS CLEARLY CONVINCED MITIGATING FACTORS SUBSTANTIALLY OUTWEIGH AGGRAVATING FACTORS.

Attorney for Defendant at Sentencing MITCHELL J ANSELL	Public Defender <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Prosecutor at Sentencing PAUL ALEXANDER	Deputy Attorney General <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Judge at Sentencing Vincent Falcetano J.S.C	
Judge (Signature) /s Vincent Falcetano J.S.C	Date 04/10/2018