

FILED

DEC 23 2009

**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury
Number SGJ582-09-17
Superior Court
Docket Number 09-12-00344-S

STATE OF NEW JERSEY)

v.

JAMES E. COTTER)

INDICTMENT

JASON W. HOWARD)

MICHAEL R. MCGARR)

JUSTIN J. RICHARDELL)

EDUARDO SANTIAGO)

and)

JESUS HERNANDEZ-ORTIZ)

The Grand Jurors of and for the State of New Jersey, upon
their oaths, present that:

COUNT ONE

(Conspiracy - Second Degree)

JAMES E. COTTER

JASON W. HOWARD

MICHAEL R. MCGARR

JUSTIN J. RICHARDELL

EDUARDO SANTIAGO

and

JESUS HERNANDEZ-ORTIZ

who are named as the defendants herein, and other persons whose identities are unknown to the Grand Jurors, who are named as co-conspirators, but are not as defendants herein, on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crime of distribution of a controlled dangerous substance, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforementioned crime, or

B. One or more of them knowingly would aid in planning, solicitation, or commission of said crime, that is:

1. Knowingly or purposely to distribute a controlled dangerous substance, that is, marijuana, in a quantity of twenty-five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1) and N.J.S.A. 2C:35-5b(10) (a).

All in violation of N.J.S.A. 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Possession with Intent to Distribute a
Controlled Dangerous Substance - First Degree)

MICHAEL R. MCGARR

JASON HOWARD

JAMES COTTER

JUSTIN J. RICHARDELL

and

EDUARDO SANTIAGO

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of twenty-five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(10) (a) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Possession with Intent to Distribute a
Controlled Dangerous Substance - Second Degree)

JESUS HERNANDEZ-ORTIZ

and

EDUARDO SANTIAGO

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, in a quantity of five pounds or more including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-5a(1), N.J.S.A. 2C:35-5b(10) (b) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Possess with Intent to Distribute a Controlled
Dangerous Substance within 500 Feet of
Certain Public Property - Second Degree)

EDUARDO SANTIAGO

and

JESUS HERNANDEZ-ORTIZ

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, and within the jurisdiction of this Court, knowingly or purposely did possess with intent to distribute a controlled dangerous substance, that is, marijuana, while in, on or within 500 feet of the real property comprising a public park, that being North Gaylord Park, contrary to the provisions of N.J.S.A. 2C:35-7.1 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Possession of Controlled Dangerous Substances - Fourth Degree)

JAMES E. COTTER

JASON W. HOWARD

MICHAEL R. MCGARR

and

JUSTIN J. RICHARDELL

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, marijuana, in a quantity of more than 50 grams, including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-10a(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Possession of Controlled Dangerous Substances - Fourth Degree)

EDUARDO SANTIAGO

and

JESUS HERNANDEZ-ORTIZ

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, marijuana, in a quantity of more than 50 grams, including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-10a(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Money Laundering - Second Degree)

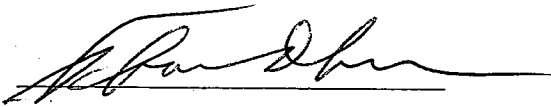
JESUS HERNANDEZ-ORTIZ

on or about March 10, 2009, at the City of Teaneck, in the County of Bergen, elsewhere, and within the jurisdiction of this Court, did transport or possess property, that is, \$238,344 in U.S. currency, known or which a reasonable person would believe to be derived from criminal activity, contrary to the provisions of N.J.S.A. 2C:21-25a and 2C:2-6, and against the peace of this State, the government and dignity of the same.



AAG Deborah L. Gramiccioni
Director
NJ Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 12/22/09

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CLERK'S OFFICE**

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LAW DIVISION - CRIMINAL

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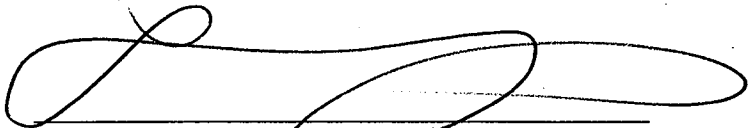
STATE OF NEW JERSEY)
v.)
JAMES E. COTTER)
JASON W. HOWARD)
MICHAEL R. MCGARR)
JUSTIN J. RICHARDELL)
EDUARDO SANTIAGO)
and)
JESUS HERNANDEZ-ORTIZ)

ORDER OF VENUE

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this *23rd* day of *December*, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Bergen be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Bergen for filing.


Linda R. Feinberg, A.J.S.C.