

FILED

DEC 7 - 2012

State Grand Jury Judge

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ630-12-16

Superior Court
Docket Number

12-12-00213-S

STATE OF NEW JERSEY

)

INDICTMENT

v.

)

JOSHUA A. POLANCO

)

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

COUNT ONE

(Robbery - First Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, in the course of committing a theft knowingly did, threaten immediate bodily injury upon John Doe while armed with or threatening the use of a deadly weapon, that is, a Ruger P-89 9mm semi-automatic handgun, serial number 303-11242, contrary to N.J.S.A. 2C:15-1, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Attempted Murder - First Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, did knowingly and purposely attempt to cause the death of New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano in that, the said JOSHUA A. POLANCO did fire a semi-automatic 9mm caliber handgun loaded with 9mm bullets at New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano contrary to the provisions of N.J.S.A. 2C:5-1, and N.J.S.A. 2C:11-3, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Aggravated Assault - Second Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause serious bodily injury to New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano, in that, the said JOSHUA A. POLANCO did fire a semi-automatic 9mm caliber handgun loaded with 9mm bullets at New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano, contrary to the provisions of N.J.S.A. 2C:12-1b(1), and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Aggravated Assault - Third Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause bodily injury to New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano with a deadly weapon, that is, a Ruger P-89 9mm semi-automatic handgun, serial number 303-11242, contrary to the provisions of N.J.S.A. 2C:12-1b(2), and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Aggravated Assault - Third Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause bodily injury to New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano with a deadly weapon, that is, by knowingly, under circumstances manifesting extreme indifference to the value of human life, pointing a firearm, a Ruger P-89 9mm semi-automatic handgun, serial number 303-11242, at New Jersey State Police Trooper Fausto Zapata, and/or New Jersey State Police Trooper Roderick Jones, and/or New Jersey State Police Trooper Gregory Austin, and/or New Jersey State Police Trooper George Auge, and/or New Jersey State Police Trooper John DiStefano, contrary to the provisions of N.J.S.A. 2C:12-1b(9), and against the peace of this State, the government and dignity of the same.

COUNT SIX

(Possession of a Weapon for an Unlawful Purpose - Second Degree)

JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, did possess a firearm, that is, a Ruger P89 9mm semi-automatic handgun, serial number 303-11242, with purposes to use it unlawfully against the person or property of another, contrary to N.J.S.A. 2C:39-4(a), and against the peace of this State, the government and dignity of the same.

COUNT SEVEN

(Unlawful Possession of a Firearm - Second Degree)

JOSHUA A. POLANCO

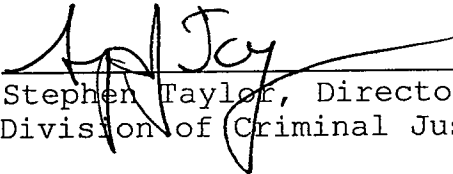
On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, knowingly did possess a firearm, that is, a Ruger P89 9mm semi-automatic handgun, serial number 303-11242, without having first obtained a permit to carry same as provided in N.J.S.A. 2C:58-4, contrary to the provisions of N.J.S.A. 2C:39-5b, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Resisting Arrest - Third Degree)

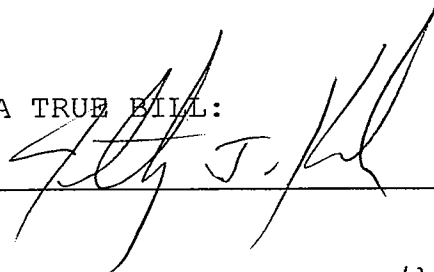
JOSHUA A. POLANCO

On or about July 20, 2011, at the City of Camden, in the County of Camden, elsewhere, and within the jurisdiction of this Court, purposely did prevent Fausto Zapata, Roderick Jones, Gregory Austin, George Auge, and John DiStefano, law enforcement officers of the New Jersey State Police from effecting a lawful arrest by shooting a firearm at them, to create a substantial risk of causing physical injury to a public servant, contrary to the provisions of N.J.S.A. 2C:29-2a, and against the peace of this State, the government and dignity of the same.



Stephen Taylor, Director
Division of Criminal Justice

A TRUE BILL:



Foreperson

12-7-12

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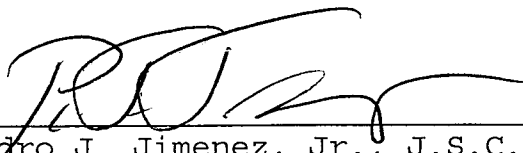
JOSHUA A. POLANCO)

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 7th day of December, 2012, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Camden 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 Camden for filing.



Pedro J. Jimenez, Jr., J.S.C.