

# COMPLAINT - SUMMONS

COMPLAINT NUMBER				<i>THE STATE OF NEW JERSEY</i> <i>VS.</i> <b>LUIS A GARCIA</b>	
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
<b>UNION TWP MUNICIPAL COURT</b> 1370 RTE 31 NORTH ANNANDALE NJ 08801-0000 908-735-3730 COUNTY OF: <b>HUNTERDON</b>				ADDRESS: [REDACTED] NJ [REDACTED]	
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 202100926		DEFENDANT INFORMATION	
COMPLAINANT NAME: <b>SUZANNA LOPEZ</b> 25 MARKET ST P O BOX 085 TRENTON NJ 08625			SEX: <b>M</b> EYE COLOR: <b>BROWN</b> DOB: [REDACTED]/1997 DRIVER'S LIC. #: [REDACTED] DL STATE: <b>NJ</b> SOCIAL SECURITY #: <b>xxx-xx-</b> [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVESCAN PCN #: [REDACTED]		

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 01/11/2021 in **UNION TWP**, **HUNTERDON County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY '11 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, NJ, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A CORRECTIONS OFFICER, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: PURPOSELY ASSAULTING VICTIM 2 AND CAUSING INJURY TO SAME; KNOWINGLY INCLUDING FALSE INFORMATION IN A SPECIAL CUSTODY REPORT SUBMITTED TO THE DEPARTMENT OF CORRECTIONS, OR VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES, IN ORDER TO OBTAIN A BENEFIT FOR HIMSELF OR IN ORDER TO INJURE ANOTHER, IN VIOLATION OF N.J.S.A. 2C:30-2 (SECOND DEGREE).

**in violation of:**

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3) 2C:12-1B(1)
Amended Charge			

**CERTIFICATION:**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: SUZANNA LOPEZ Date: 02/04/2021

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

**SUMMONS**

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: HUNTERDON at the following address: HUNTERDON COUNTY COURT  
HUNTERDON COUNTY JUSTICE CENTER 65 PARK AVENUE FLEMINGTON NJ 08822-0000  
If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.  
Date of Arrest: 02/04/2021 Appearance Date: 03/18/2021 Time: 09:00AM Phone: 908-824-9750  
Signature of Person Issuing Summons: SUZANNA LOPEZ Date: 02/04/2021

- Domestic Violence – Confidential       Related Traffic Tickets or Other Complaints       Serious Personal Injury/ Death Involved

**Special conditions of release:**

- No phone, mail or other personal contact w/victim  
 No possession firearms/weapons  
 Other (specify):

**ORIGINAL**

# COMPLAINT - SUMMONS

## COMPLAINT NUMBER

1025

S

2021

000020

STATE V.

LUIS A GARCIA

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT, WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID LUIS, A.K.A. LISANDRO, GARCIA WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE A FALSE ENTRY IN A SPECIAL CUSTODY REPORT, PREPARED BY GARCIA IN CONNECTION WITH HIS DUTIES AS A CORRECTION'S OFFICER FOR THE DEPARTMENT OF CORRECTIONS AT THE EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN, SPECIFICALLY INDICATING THAT HE USED FORCE ON VICTIM 2 BASED ON CONDUCT BY VICTIM 2, WHEN HE KNEW THAT ENTRY IN THE AFOREMENTIONED REPORT WAS FALSE, IN VIOLATION OF N.J.S.A. 2C:28-7A

WITHIN THE JURISDICTION OF THIS COURT, BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY ATTEMPT TO CAUSE SERIOUS BODILY INJURY TO VICTIM 2, WHOSE IDENTITY IS KNOWN TO LAW ENFORCEMENT, BY PUNCHING VICTIM 2 NUMEROUS TIMES WITH HIS FISTS CAUSING VICTIM 2 TO SUFFER A CONCUSSION, IN VIOLATION OF N.J.S.A. 2C:12-1B(1) (SECOND-DEGREE). CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE

Original Charge

Amended Charge

**COMPLAINT - SUMMONS**

# COMPLAINT – SUMMONS (Court Action)

<b>COMPLAINT NUMBER</b>				<b>STATE V.</b>
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

**LUIS A GARCIA**

<b>FTA Bail Information</b>		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
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Released on Bail	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: <b>03/18/2021</b>	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
<b>Name:</b>				<b>Name:</b>					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) <b>2C:30-2B</b>	2) <b>2C:28-7A(2)</b>	3) <b>2C:12-1B(1)</b>
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit	Susp. Imp	Jail time credit
Probation Term	Susp. Imp	Susp. Imp	Susp. Imp
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution	Beneficiary: _____		

<p><b>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</b></p>   <p><b>Related Traffic Tickets and Complaints:</b></p>	<p style="text-align: center;">* Finding Codes</p> <ul style="list-style-type: none"> <li>1 – Guilty</li> <li>2 – Not Guilty</li> <li>3 – Dismissed – Other</li> <li>4 – Guilty but Merged</li> <li>5 – Dismissed-Rule</li> <li>6 – Dismissed Lack of Prosecution</li> <li>7 – Dismissed – Pros Motion/Vic Req</li> <li>8 – Conditional Discharge</li> <li>D – Dismissed- Prosecutor Discretion</li> <li>M – Dismissed- Mediation</li> <li>P – Dismissed-Plea Agreement</li> <li>S – Disposed at Superior</li> <li>W – Dismissed-False ID</li> </ul>
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# COMPLAINT – SUMMONS (Court Action)

<b>COMPLAINT NUMBER</b>				<b>STATE V.</b>  <b>LUIS A GARCIA</b>
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.	

<b>FTA Bail Information</b>	Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
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Released on Bail	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____	Date Referred to County Prosecutor: _____
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Date of First Appearance: <b>03/18/2021</b>	<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No
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Prosecuting Attorney Information				Defense Counsel Information					
<b>Name:</b>				<b>Name:</b>					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge										
Amended Charge										
Waiver Indt/Jury										
Plea/Date of Plea	Plea:	Date:		Plea:	Date:		Plea:	Date:		
Adjudication (* see code)	Finding Code:	Date:		Finding Code:	Date:		Finding Code:	Date:		
Jail Term		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp		Jail time credit	Susp. Imp	
Probation Term				Susp. Imp				Susp. Imp		
Cond. Discharge Term										
Community Service										
D/L Suspension Term										
Fines/Costs	Fines:	Costs:		Fines:	Costs:		Fines:	Costs:		
VCCB/SNSF	VCCB:	SNSF:		VCCB:	SNSF:		VCCB:	SNSF:		
DEDR/Lab Fee	DEDR:	LAB:		DEDR:	LAB:		DEDR:	LAB:		
CD Fee/Drug Ed Fnd	CD:	DAEF:		CD:	DAEF:		CD:	DAEF:		
DV Surch/Other Fees	DV:	Other:		DV:	Other:		DV:	Other:		
Restitution Beneficiary: _____										

<b>Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:</b>	<b>* Finding Codes</b> 1 – Guilty 2 – Not Guilty 3 – Dismissed – Other 4 – Guilty but Merged 5 – Dismissed-Rule 6 – Dismissed Lack of Prosecution 7 – Dismissed – Pros Motion/Vic Req 8 – Conditional Discharge D – Dismissed- Prosecutor Discretion M – Dismissed- Mediation P - Dismissed-Plea Agreement S – Disposed at Superior W – Dismissed-False ID
<b>Related Traffic Tickets and Complaints:</b>	

# COMPLAINT - SUMMONS (DEFENDANT'S COPY)

## COMPLAINT NUMBER

**1025 S 2021 000020**

COURT CODE PREFIX YEAR SEQUENCE NO.

**UNION TWP MUNICIPAL COURT**  
1370 RTE 31 NORTH  
ANNANDALE NJ 08801-0000  
908-735-3730 COUNTY OF: **HUNTERDON**

ADDRESS:

*THE STATE OF NEW JERSEY*

*VS.*

**LUIS A GARCIA**

NJ

# of CHARGES: **3** CO-DEFTS: POLICE CASE #: **202100926**

DEFENDANT INFORMATION

SEX: **M** EYE COLOR: **BROWN** DOB: /1997

DRIVER'S LIC. #. DL STATE: **NJ**

SOCIAL SECURITY #: **xxx-xx-** SBI #:

TELEPHONE #:

LIVESCAN PCN #:

COMPLAINANT NAME: **SUZANNA LOPEZ**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 01/11/2021 in **UNION TWP**, **HUNTERDON County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY '11 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, NJ, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A CORRECTIONS OFFICER, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: PURPOSELY ASSAULTING VICTIM 2 AND CAUSING INJURY TO SAME; KNOWINGLY INCLUDING FALSE INFORMATION IN A SPECIAL CUSTODY REPORT SUBMITTED TO THE DEPARTMENT OF CORRECTIONS, OR VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES, IN ORDER TO OBTAIN A BENEFIT FOR HIMSELF OR IN ORDER TO INJURE ANOTHER, IN VIOLATION OF N.J.S.A. 2C:30-2 (SECOND DEGREE).

### in violation of:

Original Charge	1) 2C:30-2B	2) 2C:28-7A(2)	3) 2C:12-1B(1)
Amended Charge			

### CERTIFICATION:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment

Signed: SUZANNA LOPEZ Date: 02/04/2021

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

### SUMMONS

YOU ARE HEREBY SUMMONED to appear before the Superior Court in the county of: HUNTERDON

at the following address: HUNTERDON COUNTY COURT

HUNTERDON COUNTY JUSTICE CENTER 65 PARK AVENUE FLEMINGTON NJ 08822-0000

If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

Date of Arrest: 02/04/2021 Appearance Date: 03/18/2021 Time: 09:00AM Phone: 908-824-9750

Signature of Person Issuing Summons: SUZANNA LOPEZ Date: 02/04/2021

Domestic Violence – Confidential

Related Traffic Tickets or Other Complaints

Serious Personal Injury/ Death Involved

### Special conditions of release:

- No phone, mail or other personal contact w/victim
- No possession firearms/weapons
- Other (specify):

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

# COMPLAINT - SUMMONS (DEFENDANT'S COPY)

## COMPLAINT NUMBER

1025

S

2021

000020

STATE V.

LUIS A GARCIA

COURT CODE

PREFIX

YEAR

SEQUENCE NO.

WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT, WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID LUIS, A.K.A. LISANDRO, GARCIA WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE A FALSE ENTRY IN A SPECIAL CUSTODY REPORT, PREPARED BY GARCIA IN CONNECTION WITH HIS DUTIES AS A CORRECTION'S OFFICER FOR THE DEPARTMENT OF CORRECTIONS AT THE EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN, SPECIFICALLY INDICATING THAT HE USED FORCE ON VICTIM 2 BASED ON CONDUCT BY VICTIM 2, WHEN HE KNEW THAT ENTRY IN THE AFOREMENTIONED REPORT WAS FALSE, IN VIOLATION OF N.J.S.A. 2C:28-7A

WITHIN THE JURISDICTION OF THIS COURT, BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY ATTEMPT TO CAUSE SERIOUS BODILY INJURY TO VICTIM 2, WHOSE IDENTITY IS KNOWN TO LAW ENFORCEMENT, BY PUNCHING VICTIM 2 NUMEROUS TIMES WITH HIS FISTS CAUSING VICTIM 2 TO SUFFER A CONCUSSION, IN VIOLATION OF N.J.S.A. 2C:12-1B(1) (SECOND-DEGREE). CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE

Original Charge

Amended Charge

COMPLAINT - SUMMONS (DEFENDANT'S COPY)

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NJ/CDR1 1/1/2017

# RETURN OF SERVICE INFORMATION

**COMPLAINT NUMBER**

**1025      S      2021      000020**

COURT CODE      PREFIX      YEAR      SEQUENCE NO.

**UNION TWP MUNICIPAL COURT**  
**1370 RTE 31 NORTH**  
**ANNANDALE NJ 08801-0000**  
**908-735-3730 COUNTY OF: HUNTERDON**

*THE STATE OF NEW JERSEY*  
**VS.**  
**LUIS A GARCIA**

ADDRESS: [REDACTED] NJ [REDACTED]

# of CHARGES: **3**      CO-DEFTS:      POLICE CASE #: **202100926**

DEFENDANT INFORMATION  
 SEX: **M**      EYE COLOR: **BROWN**      DOB: [REDACTED] **1997**  
 DRIVER'S LIC. #: [REDACTED]      DL STATE: **NJ**  
 SOCIAL SECURITY # **xxx-xx-[REDACTED]**      SBI #:      )  
 TELEPHONE #:      )  
 LIVSCAN PCN #:

COMPLAINANT **SUZANNA LOPEZ**  
 NAME: **25 MARKET ST**  
**P O BOX 085**  
**TRENTON NJ 08625**

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about **01/11/2021** in **UNION TWP**, **HUNTERDON County, NJ** did: WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY 11 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, NJ, AND WITHIN THE JURISDICTION OF THIS COURT, WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS AS A CORRECTIONS OFFICER, DID COMMIT ONE OR MORE ACTS CONSTITUTING AN UNAUTHORIZED EXERCISE OF HIS OFFICIAL FUNCTIONS, KNOWING THEM TO BE UNAUTHORIZED, OR DID KNOWINGLY REFRAIN FROM PERFORMING ONE OR MORE DUTIES IMPOSED BY LAW OR CLEARLY INHERENT IN THE NATURE OF HIS OFFICE, WITH PURPOSE TO BENEFIT HIMSELF OR ANOTHER, OR TO INJURE ANOTHER OR TO DEPRIVE ANOTHER OF A BENEFIT, TO WIT: PURPOSELY ASSAULTING VICTIM 2 AND CAUSING INJURY TO SAME; KNOWINGLY INCLUDING FALSE INFORMATION IN A SPECIAL CUSTODY REPORT SUBMITTED TO THE DEPARTMENT OF CORRECTIONS, OR VIOLATING THE DEPARTMENT OF CORRECTIONS POLICIES AND PROCEDURES, IN ORDER TO OBTAIN A BENEFIT FOR HIMSELF OR IN ORDER TO INJURE ANOTHER, IN VIOLATION OF N.J.S.A. 2C:30-2 (SECOND DEGREE).

**in violation of:**

Original Charge	1) <b>2C:30-2B</b>	2) <b>2C:28-7A(2)</b>	3) <b>2C:12-1B(1)</b>
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Check √	<b>Certification by Police Regarding Complaint-Summons</b>
✓	I certify that I served the complaint-summons by delivering a copy to the defendant personally.
	I certify that I personally served the complaint-summons by leaving a copy at the defendant's usual place of abode with a competent member of the household of the age 14 or over _____ Name of family member over 14 years of age
	I certify that I mailed a copy of the complaint-summons by ordinary mail to the defendant at his or her last known address. _____ Defendant's last known address
	I certify that I served the complaint-summons by delivering a copy to a person authorized to receive service of process on the defendant's behalf. _____ Name and title of authorized person
	Other manner of service: I certify that I served the complaint-summons in the following manner: _____
	I certify that I was unable to serve the complaint-summons.

Signed: **SUZANNA LOPEZ NJ DIVISION OF CRIM JUSTICE**      Date of Action: **02/04/2021**  
 Name, Title and Department of Officer

**RETURN OF SERVICE INFORMATION**

# RETURN OF SERVICE INFORMATION

<b>COMPLAINT NUMBER</b>				<b>STATE V.</b>	<b>LUIS A GARCIA</b>
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		

WITHIN THE JURISDICTION OF THIS COURT, ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID KNOWINGLY MAKE, PRESENT, OFFER FOR FILING OR USE A RECORD, DOCUMENT OR THING KNOWING IT TO BE FALSE, AND WITH PURPOSE THAT IT BE TAKEN AS A GENUINE PART OF INFORMATION OR RECORDS BELONGING TO, OR RECEIVED OR KEPT BY, THE GOVERNMENT FOR INFORMATION OR RECORD, OR REQUIRED BY LAW TO BE KEPT BY OTHERS FOR INFORMATION OF THE GOVERNMENT, WITH THE PURPOSE TO DEFRAUD OR INJURE ANYONE, THAT IS, THE SAID LUIS, A.K.A. LISANDRO, GARCIA WHILE EMPLOYED BY THE DEPARTMENT OF CORRECTIONS, KNOWINGLY MADE A FALSE ENTRY IN A SPECIAL CUSTODY REPORT, PREPARED BY GARCIA IN CONNECTION WITH HIS DUTIES AS A CORRECTION'S OFFICER FOR THE DEPARTMENT OF CORRECTIONS AT THE EDNA MAHAN CORRECTIONAL FACILITY FOR WOMEN, SPECIFICALLY INDICATING THAT HE USED FORCE ON VICTIM 2 BASED ON CONDUCT BY VICTIM 2, WHEN HE KNEW THAT ENTRY IN THE AFOREMENTIONED REPORT WAS FALSE, IN VIOLATION OF N.J.S.A. 2C:28-7A

WITHIN THE JURISDICTION OF THIS COURT, BETWEEN ON OR ABOUT JANUARY 11, 2021 AND ON OR ABOUT JANUARY 12, 2021, IN THE TOWNSHIP OF CLINTON, HUNTERDON COUNTY, AND WITHIN THE JURISDICTION OF THIS COURT, DID PURPOSELY ATTEMPT TO CAUSE SERIOUS BODILY INJURY TO VICTIM 2, WHOSE IDENTITY IS KNOWN TO LAW ENFORCEMENT, BY PUNCHING VICTIM 2 NUMEROUS TIMES WITH HIS FISTS CAUSING VICTIM 2 TO SUFFER A CONCUSSION, IN VIOLATION OF N.J.S.A. 2C:12-1B(1) (SECOND-DEGREE). CASE IS BEING PROSECUTED BY DAG JONATHAN GILMORE

Original Charge			
Amended Charge			



# Affidavit of Probable Cause

COMPLAINT NUMBER				<p style="text-align: center;"><i>THE STATE OF NEW JERSEY</i></p> <p style="text-align: center;">VS.</p> <p style="text-align: center;"><b>LUIS A GARCIA</b></p>	
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>	ADDRESS: [REDACTED] NJ [REDACTED]	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
UNION TWP MUNICIPAL COURT 1370 RTE 31 NORTH ANNANDALE NJ 08801-0000 908-735-3730 COUNTY OF: HUNTERDON					
# of CHARGES 3	CO-DEFTS	POLICE CASE #: 202100926		DEFENDANT INFORMATION	
COMPLAINANT SUZANNA LOPEZ NAME: 25 MARKET ST P O BOX 085 TRENTON NJ 08625			SEX: M EYE COLOR: BROWN DOB: [REDACTED]/1997 DRIVER'S LIC. #. [REDACTED] DL STATE: NJ SOCIAL SECURITY #: xxx-xx-[REDACTED] SBI #: [REDACTED] TELEPHONE #: ( ) [REDACTED] LIVESCAN PCN #:		

Purpose: This Affidavit/Certification is to more fully describe the facts of the alleged offense so that a judge or authorized judicial officer may determine probable cause.

1. Description of relevant facts and circumstances which support probable cause that (1) the offense(s) was committed and (2) the defendant is the one who committed it:

INVESTIGATION REVEALS THAT LUIS, A.K.A. LISANDRO, GARCIA IS EMPLOYED BY THE NEW JERSEY DEPARTMENT OF CORRECTIONS AS A CORRECTION OFFICER. ON OR ABOUT JANUARY 11 AND JANUARY 12, 2021, BETWEEN 10:30 P.M., AND 1:15 A.M., GARCIA AND OTHER NEW JERSEY DEPARTMENT OF CORRECTIONS (DOC) OFFICERS AND SUPERVISORS WERE ASSIGNED TO THE EDNA MAHAN CORRECTIONAL FACILITY (EMCFW) IN CLINTON, NEW JERSEY TO CONDUCT CELL EXTRACTIONS OF VARIOUS INMATES LOCATED IN THE RHU (RESTORATIVE HOUSING UNIT). DURING THE COURSE OF THESE EXTRACTIONS, GARCIA PURPOSELY OR KNOWINGLY ATTEMPTED TO CAUSE SERIOUS BODILY INJURY TO AN INMATE BY USING FORCE BEYOND WHAT WAS OBJECTIVELY REASONABLE AND NECESSARY IN VIOLATION OF NJDOC POLICY, DOC CUS.001.UOF.002, IIIA.EVIDENCE INDICATES THAT GARCIA KNOWINGLY SUBMITTED A FALSE REPORT REGARDING THE INCIDENT. IN HIS SPECIAL CUSTODY REPORT, GARCIA FALSELY STATES THAT VICTIM 2 THREW PUNCHES AT HIM AS HE ATTEMPTED TO RESTRAIN VICTIM 2. VIDEO EVIDENCE, HOWEVER, SHOWS NO PUNCHES THROWN BY VICTIM 2. GARCIA'S FILING OF AN OFFICIAL DOC REPORT THAT HE KNEW TO CONTAIN FALSE INFORMATION VIOLATES THE DEPARTMENT OF CORRECTIONS RULES AND REGULATIONS ARTICLE II, SECTION 7 AND SECTION 8. BY FILING A FALSE REPORT, GARCIA INTENDED TO DECEIVE OTHERS WITHIN THE DOC INTO BELIEVING THAT HIS USE OF FORCE ON VICTIM 2 WAS JUSTIFIED.

# Affidavit of Probable Cause

## COMPLAINT NUMBER

THE STATE OF NEW JERSEY

1025

S

2021

000020

VS.

LUIS A GARCIA

2. I am aware of the facts above because: (Included, but not limited to: your observations, statements of eyewitnesses, defendant's admission, etc.)

REPORTS, VIDEO SURVEILLANCE REVIEWED, STATEMENTS MADE BY WITNESSES

3. If victim was injured, provide the extent of the injury:

ACCORDING TO REPORTS, ON JANUARY 12, 2021 AT APPROXIMATELY 12:07 A.M., A FIVE (5) PERSON SUITED TEAM COMPRISED OF CORRECTION OFFICERS FROM EMCWF PERFORMED A CELL EXTRACTION FOR VICTIM 2, WHO IS HOUSED IN THE RHU. DURING THE CELL EXTRACTION, VICTIM 2 WAS PEPPER SPRAYED SECONDS BEFORE THE EXTRACTION TEAM ENTERED THE CELL AND VICTIM 2 IS SEEN STANDING TOWARDS THE LEFT SIDE OF HER CELL ON VIDEO SURVEILLANCE. IMMEDIATELY UPON ENTERING THE CELL OF VICTIM 2, GARCIA PUNCHES AND STRIKES VICTIM 2 WITH A CLOSED FIST APPROXIMATELY 28 TIMES IN THE FACE AREA, ALTHOUGH VICTIM 2 HAS HER ARMS UP, ATTEMPTING TO COVER HER FACE, AND WHILE STANDING PRESSED UP AGAINST A WALL WITH HER BACK FACING THE OFFICERS, OR ATTEMPTING TO PROTECT HERSELF. DOC POLICY ONLY PERMITS USE OF FORCE THAT IS OBJECTIVELY NECESSARY AND REASONABLE. EXCESSIVE OR UNREASONABLE FORCE VIOLATES DOC CUS.001.UOF.002, IIIA GARCIA'S USE OF FORCE AGAINST VICTIM 2 RESULTED IN SERIOUS BODILY INJURIES, INCLUDING CONCUSSION AND FACIAL INJURIES

### Certification:

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed: SUZANNA LOPEZ LAW ENFORCEMENT OFFICER

Date: 02/04/2021

Affidavit of Probable Cause

# Preliminary Law Enforcement Incident Report

COMPLAINT NUMBER				<p style="font-size: 1.2em; margin: 0;"><i>THE STATE OF NEW JERSEY</i></p> <p style="margin: 0;"><i>VS.</i></p> <p style="margin: 0;"><b>LUIS A GARCIA</b></p>	
<b>1025</b>	<b>S</b>	<b>2021</b>	<b>000020</b>		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
<b>UNION TWP MUNICIPAL COURT</b> 1370 RTE 31 NORTH ANNANDALE NJ 08801-0000 908-735-3730 COUNTY OF: <b>HUNTERDON</b>				ADDRESS: [REDACTED] NJ [REDACTED]	
# of CHARGES <b>3</b>	CO-DEFTS	POLICE CASE #: <b>202100926</b>		DEFENDANT INFORMATION	
COMPLAINANT <b>SUZANNA LOPEZ</b> NAME: 25 MARKET ST P O BOX 085 TRENTON NJ 08625				SEX: <b>M</b> EYE COLOR: <b>BROWN</b> DOB: [REDACTED]/1997 DRIVER'S LIC. #. [REDACTED] DL STATE: <b>NJ</b> SOCIAL SECURITY #: <b>xxx-xx-</b> [REDACTED] SBI #: [REDACTED] TELEPHONE #: [REDACTED] LIVSCAN PCN #: [REDACTED]	

**Purpose:** The Preliminary Law Enforcement Incident Report (PLEIR) is intended to document basic information known to the officer at the time of its preparation. It is recognized that additional relevant information will emerge as an investigation continues. The PLEIR shall be in addition to, not in lieu of, any regular police arrest, incident, or investigation reports. Note that the PLEIR is specific to each defendant charged in an investigation.

- The charge was based on the observations/statements made by an eyewitness(es).
  - The witness statement(s) were recorded via:
    - \*Other/Explain VIDEO AND AUDIO RECORDING
  
- The offense/incident was recorded using electronic/surveillance via:
  - Surveillance Camera
  - Other/Explain HAND-HELD RECORDER
  
- The defendant was known to the victim as:
  - Other/Explain SUPERVISOR
  
- Identification procedures were used by utilizing:
  - Other/Explain CO-WORKERS IDENTIFIED
  
- The victim was injured and:
  - Victim transported to medical facility
  - Victim treated at the scene

**Certification:**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Signed:           **SUZANNA LOPEZ LAW ENFORCEMENT OFFICER**           Date:           **02/04/2021**