

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL
State Grand Jury
Number SGJ764-22-13
Superior Court
Docket Number 22-1-13-S

STATE OF NEW JERSEY

)

v.

)

INDICTMENT

)

DANIEL BALBUENA

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

COUNT ONE

(Conspiracy - Second Degree)

DANIEL BALBUENA

together with one or more other persons, whose identities are both known and unknown to the Grand Jury, who are named as co-conspirators but who are not named as defendants herein, between on or about April 5, 2020 and on or about April 6, 2020, at the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court with the purpose of promoting or facilitating the crime of aggravated assault, did agree that:

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

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

1. Aggravated Assault, in that one or more of them purposely would attempt to cause serious bodily injury to Victim #1, an individual whose identity is known to the Grand Jury, contrary to the provisions of N.J.S.A. 2C:12-1b(1); and
2. Aggravated Assault, in that one or more of them purposely would attempt to cause serious bodily injury to Victim #2, an individual whose identity is known to the Grand Jury, contrary to the provisions of N.J.S.A. 2C:12-1b(1);

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

(Attempted Aggravated Assault - Second Degree)

DANIEL BALBUENA

and two other persons, Individuals #1 and #2, whose identities are known to the Grand Jury, but who are not named as defendants herein, on or about April 5, 2020, in the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause serious bodily injury to another, or under circumstances manifesting extreme indifference to the value of human life, recklessly did cause serious bodily injury to another, that is, the aforementioned individuals did attempt to cause serious bodily injury to Victim #1, an individual whose identity is known to the Grand Jury, in the prison yard at New Jersey State Prison by repeatedly punching and kicking Victim #1 in the head or elsewhere, contrary to the provisions of N.J.S.A. 2C:12-1b1, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT THREE

(Aggravated Assault - Third Degree)

DANIEL BALBUENA

and two other persons, Individuals #1 and #2, whose identities are known to the Grand Jury, but who are not named as defendants herein, on or about April 5, 2020, in the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely or knowingly did cause significant bodily injury to another, or under circumstances manifesting extreme indifference to the value of human life, recklessly did cause significant bodily injury to another, that is, the aforementioned individuals, either as principals or as accomplices, did plan, promote, or carry out an attack upon Victim #1, an individual whose identity is known to the Grand Jury, in the prison yard at New Jersey State Prison by repeatedly punching and kicking Victim #1 in the head or elsewhere, contrary to the provisions of N.J.S.A. 2C:12-1b7 and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT FOUR

(Attempted Aggravated Assault - Second Degree)

DANIEL BALBUENA

and two other persons, Individuals #1 and #2, whose identities are known to the Grand Jury, but who are not named as defendants herein, on or about April 6, 2020, in the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely did attempt to cause serious bodily injury to another, or under circumstances manifesting extreme indifference to the value of human life, recklessly did cause serious bodily injury to another, that is, the aforementioned individuals did attempt to cause serious bodily injury to Victim #2, an individual whose identity is known to the Grand Jury, by repeatedly punching and kicking Victim #2 in the head or elsewhere, in the prison yard at New Jersey State Prison, contrary to the provisions of N.J.S.A. 2C:12-1b1, N.J.S.A. 2C:5-1 and N.J.S.A. 2C:2-6, and against the peace of this State, the government, and dignity of the same.

COUNT FIVE

(Aggravated Assault - Third Degree)

DANIEL BALBUENA

and two people, Individuals #1 and #2, whose identities are known to the Grand Jury, but who are not named as defendants herein, on or about April 6, 2020, in the City of Trenton, in the County of Mercer, elsewhere, and within the jurisdiction of this Court, purposely or knowingly did cause significant bodily injury to another, or under circumstances manifesting extreme indifference to the value of human life, recklessly did cause significant bodily injury to another, that is, the aforementioned individuals did, either as principals or as accomplices, plan, promote, or carry out an attack upon Victim #2, an individual whose identity is known to the Grand Jury, in the prison yard at New Jersey State Prison by repeatedly punching and kicking Victim #2 in the head or elsewhere, contrary to the provisions of N.J.S.A. 2C:12-1b7 and N.J.S.A.

2C:2-6, and against the peace of this State, the government, and
dignity of the same.



Thomas Eicher, Director
Office of Public Integrity &
Accountability
Division of Criminal Justice

A TRUE BILL:



Foreperson

Dated: 1/31/2022