

Name **Removed**  
Address **Removed**  
Address **Removed**  
Phone: **Removed**  
Email: **Removed**

**DATE REMOVED**

MUNICIPAL COURT OF **REMOVED**, COUNTY OF **REMOVED**

STATE OF NEW JERSEY	)	SUMMONS No.: <b>REMOVED</b>
Plaintiff	)	ISSUED: <b>DATE REMOVED</b>
vs.	)	
<b>REMOVED</b>	)	<b>RESPONSE TO ANSWER</b>
Defendant	)	<b>MOTION FOR DISMISSAL:</b>
	)	<b>SPEEDY TRIAL</b>
	)	
	)	
	)	
	)	
	)	

I.

LENGTH OF DELAY: STATE DID NOT CHALLENGE.

II.

REASON FOR DELAY:

1. State admits to breaking Court Rule 7:7-7(g) – (Taking more than 10 days to respond to a Discovery Request).

A small or busy Police Department does not remove the Prosecutor's burden of following the Rules of Court.

By Court Rules, the State actually took 63 days (10 days maximum) to respond to the Discovery Request served 2/24/16.

Court Rule 1:3-1 specifies actual days, not business days.

In a related matter, the State took 34 days to answer this current Speedy Trial Motion, waiting until the Hearing Date of 11/16/16 to respond and unnecessarily delaying the case an additional month.

2. Lt. **(Removed)**'s admitted Police Department Policy misinterprets Federal Law and is in direct violation of New Jersey Rules of Court. 7:7-7(b)(6) – (Defendant shall

be provided with copies of electronically stored information).

3. Lt. **(Removed)** has stated he does not recall being ordered to email MPH industries. The transcript of 5/25/16 will confirm the order.
4. STATE'S DUE DILIGENCE IN PROVIDING DISCOVERY:  
NO ADDITIONAL ARGUMENTS.
5. REASONABLE REVIEW OF EVIDENCE ON 9/7/16:  
NO ADDITIONAL ARGUMENTS.
6. STATE IS RESPONSIBLE FOR DELAYS BY THE COURT ITSELF: STATE  
DID NOT CHALLENGE.

### III.

ASSERTION: STATE DID NOT CHALLENGE.

### IV.

PREJUDICE: STATE DID NOT CHALLENGE.

CONCERNING DEFENDANT'S ALLEGED STATEMENTS TO LT. **(Removed)**:  
I don't recall saying I would "Carry this on until the court dismisses the matter", and I don't see the relevance here.

Respectfully, if the State followed the Rules of Court, the matter would be resolved by now.

No answer to this document is requested but if the State wishes to respond in writing, please do so within 10 actual days from receipt.

One copy delivered to Municipal Court and one copy delivered to Prosecutor 11/23/16.