

**SUPERIOR COURT OF N.J.
REC'D**

OCT 24 2002

**DONALD F. PHELAN
CLERK**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION- CRIMINAL

State Grand Jury

Number SGJ 469-02-1

Superior Court

Docket Number

02-10-00171-S

STATE OF NEW JERSEY)

v.)

INDICTMENT

JOSE A. FIGUEROA)

also known as

KING SPITZ)

and)

THOMAS MARINO)

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

COUNT ONE

(Conspiracy - Third Degree)

JOSE A. FIGUEROA

and

THOMAS MARINO

on or about May 26, 2001, at the Borough of Beachwood, in the County of Ocean, elsewhere and within the jurisdiction of this Court, with the purpose of promoting and facilitating the crimes of distribution of a controlled dangerous substance, possession with intent to distribute a controlled dangerous substance and possession of a controlled dangerous substance, did agree that:

A. One or both of them would engage in conduct which would

constitute the aforesaid crimes, or

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

1. Knowingly or purposely distributing a controlled dangerous substance, that is, heroin, in a quantity of less than one-half ounce 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(3);

2. Knowingly or purposely possessing with intent to distribute a controlled dangerous substance, that is, heroin, in a quantity of less than one-half ounce 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(3);

2. Knowingly or purposely possessing a controlled dangerous substance, that is, heroin, a Schedule I controlled dangerous substance, contrary to the provisions of N.J.S.A. 2C:35-10a(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

(Distribution of a Controlled Dangerous Substance-Third Degree)

JOSE A. FIGUEROA

and

THOMAS MARINO

on or about May 26, 2001, at the Borough of Beachwood, in the County of Ocean, elsewhere and within the jurisdiction of this Court, knowingly or purposely did distribute a controlled dangerous substance, that is, heroin, in a quantity of less than one-half ounce 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(3) 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-Third Degree)

JOSE A. FIGUEROA

and

THOMAS MARINO

on or about May 26, 2001, at the Borough of Beachwood, in the
County of Ocean, elsewhere and within the jurisdiction of this
Court, knowingly or purposely did possess with intent to
distribute a controlled dangerous substance, that is, heroin, in
a quantity of less than one-half ounce 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(3) and N.J.S.A. 2C:2-6, and against the peace
of this State, the government and dignity of the same.

COUNT FOUR

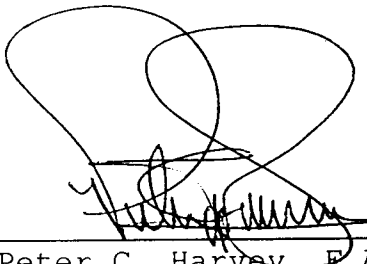
(Possession of a Controlled Dangerous Substance-Third Degree)

JOSE A. FIGUEROA

and

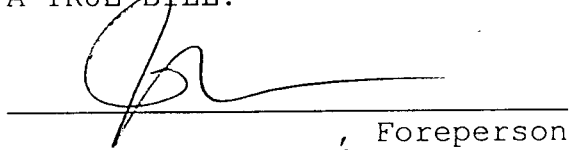
THOMAS MARINO

on or about May 26, 2001, at the Borough of Beachwood, in the County of Ocean, elsewhere and within the jurisdiction of this Court, knowingly or purposely did possess a controlled dangerous substance, that is, heroin, in a quantity of less than one-half ounce including any adulterants or dilutants, contrary to the provisions of N.J.S.A. 2C:35-10a(1) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.



Peter C. Harvey, F.A.A.G.
Director
Division of Criminal Justice

A TRUE BILL:



, Foreperson

Dated: October 17, 2012