

FILED

AUG 04 2009

**SUPERIOR COURT
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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ577-09-1(3)

Superior Court

Docket Number 09-08-00161-S

STATE OF NEW JERSEY)

v.)

ANGEL COLON)

INDICTMENT

and)

SORINETTE ROSARIO)

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

COUNT ONE

(Election Fraud - Second Degree)

ANGEL COLON

and

SORINETTE ROSARIO

between on or about October 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly and willfully deprived, defrauded or attempted to deprive or defraud residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of voter registration applications or ballots that were known by ANGEL COLON and

SORINETTE ROSARIO to be materially false, fictitious or fraudulent, that is the said ANGEL COLON and SORINETTE ROSARIO, knowingly procured, cast or tabulated with Essex County election officials absentee voter registration applications or ballots purporting to be the voter registration applications or ballots of certain residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, when, in fact, as they well knew, the named residents were not aware of, nor did otherwise authorize, the casting or tabulation of those ballots, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2), 2C:2-6 and 2C:5-2, and against the peace of this State, the government and dignity of the same.

COUNT TWO

(Absentee Ballot Fraud - Third Degree)

ANGEL COLON

and

SORINETTE ROSARIO

between on or about October 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, knowingly certified falsely on any paper required under the Absentee Voting Law, N.J.S.A. 19:57-1 et seq., or tampered with any ballot or document used in an election, that is the said ANGEL COLON and SORINETTE ROSARIO falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 19:57-37 and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Tampering with Public Records or Information - Third Degree)

ANGEL COLON

and

SORINETTE ROSARIO

between on or about October 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with purpose to defraud or injure, did make, present, offer for filing or use, or caused to be made, presented, offered for filing or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for information of the government, to wit: the said ANGEL COLON and SORINETTE ROSARIO falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 2C:28-7(a)(2) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Forgery - Fourth Degree)

ANGEL COLON

and

SORINETTE ROSARIO

between on or about October 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and at the City of Trenton, in the County of Mercer, elsewhere and within the jurisdiction of this Court, with the purpose to defraud or injure another, did utter to Essex County election officials, a writing, that is, documents related to the procurement, casting, or tabulation of absentee ballots, knowing the same to made, completed, executed, authenticated, issued or transferred, so that it purported to be the act of residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, who did not authorize that act, contrary to the provisions of N.J.S.A. 2C:21-1(a)(3) and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Conspiracy - Second Degree)

ANGEL COLON

and

SORINETTE ROSARIO

between on or about October 1, 2007 and on or about November 6, 2007, at the City of Newark, in the County of Essex, and 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 commission of the crimes enumerated below, did agree that:

A. One or more of them knowingly would engage in conduct which would constitute the aforesaid crime(s), or

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

1. Election Fraud, in that ANGEL COLON and SORINETTE ROSARIO, knowingly and willfully deprived, defrauded or attempted to deprive or defraud the residents of this State of a fair and impartially conducted election by the procurement, casting or tabulation of voter registration applications or ballots that were known by ANGEL COLON and SORINETTE ROSARIO to be materially false, fictitious or fraudulent, that is the said ANGEL COLON and SORINETTE ROSARIO, knowingly procured, cast or tabulated with Essex County election officials absentee ballots purporting to be

the ballots of certain residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, when, in fact, as they well knew, the named residents were not aware of, nor did otherwise authorize, the casting or tabulation of those ballots, contrary to the provisions of N.J.S.A. 19:34-1.1(a)(2);

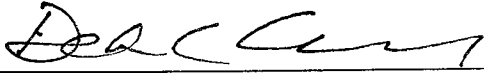
2. Absentee Ballot Fraud, in that ANGEL COLON and SORINETTE ROSARIO, knowingly certified falsely on any paper required under the Absentee Civilian and Military Service Voting Act, N.J.S.A. 19:57-2 et seq., or tampered with any ballot or document used in an election, that is the said ANGEL COLON and SORINETTE ROSARIO falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 19:57-37;

3. Tampering with Public Records or Information, in that ANGEL COLON and SORINETTE ROSARIO, with purpose to defraud or injure, did make, present, offer for filing or use, or caused to be made, presented, offered for filing or used, any record, document or thing knowing it to be false, and with the purpose that it be taken as a genuine part of information or records belonging to, received or kept by, the government for information or record, or required by law to be kept by others for

information of the government, to wit: the said ANGEL COLON and SORINETTE ROSARIO falsely certified or submitted documents related to the procurement, casting, or tabulation of absentee ballots, for the 2007 General Election for State Senate, for the 29th Legislative District, contrary to the provisions of N.J.S.A. 2C:28-7(a)(2); and

4. Forgery, in that ANGEL COLON and SORINETTE ROSARIO, with the purpose to defraud or injure another, did utter to Essex County election officials, a writing, that is, documents related to the procurement, casting, or tabulation of absentee ballots, knowing the same to made, completed, executed, authenticated, issued or transferred, so that it purported to be the act of residents of this State for the 2007 General Election for State Senate, for the 29th Legislative District, who did not authorize that act, contrary to the provisions of N.J.S.A. 2C:21-1(a)(3).

All contrary to the provisions of N.J.S.A. 2C:5-2 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same


Deborah L. Gramiccioni, Director,
Division of Criminal Justice

A TRUE BILL:


Foreperson

Dated: 8/4/09

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**SUPERIOR COURT
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL


State Grand Jury
Number SGJ577-09-1(3)
Superior Court
Docket Number 09-08-00161-S

STATE OF NEW JERSEY)
 v.) ORDER OF VENUE
ANGEL COLON)
 and)
SORINETTE ROSARIO)

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 4th day of August, 2009, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Mercer 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 Mercer for filing.



Linda R. Feinberg, A.J.S.C.