

**FILED**

**AUG 30 2010**

**SUPERIOR COURT  
CLERK'S OFFICE**

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ590-10-5

Superior Court

Docket Number 10-08-00107-S

STATE OF NEW JERSEY )

v. )

INDICTMENT

BRIAN HINKEL )

ANTHONY DALESSANDRO )

and )

PETER MONTELEONE, JR. )

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

COUNT ONE

(Conspiracy - Third Degree)

BRIAN HINKEL

ANTHONY DALESSANDRO

and

PETER MONTELEONE, JR.

who are named as the defendants herein, and other individuals, whose identities are both known and unknown to the Grand Jurors, who are named as coconspirators, but not as defendants herein, between on or about January 19, 2009, and on or about February 5, 2009, at the Borough of Newfield, at the Township of Franklin, and at the Township of Mantua, all in the County of Gloucester, at Jobstown, at the Township of Springfield, in the County of

Burlington, at the City of Vineland, in the County of Cumberland, at the Township of Upper Pittsgrove, in the County of Salem, in the Township of Egg Harbor Township, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, with the purpose of promoting or facilitating the commission of the crimes of theft and receiving stolen property, did agree that:

A. One or more of them would engage in conduct which would constitute the aforesaid crimes, or

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

1. To knowingly and unlawfully take or exercise unlawful control over moveable property of another with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3.

2. To commit theft by knowingly receiving or bringing into this State moveable property of another knowing the same to be stolen or believing that it had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7.

The Grand Jurors aforesaid, upon their oaths, do further present that in pursuance of the said conspiracy, the following Overt Acts, among others, were committed:

OVERT ACTS

1. On or about January 22, 2009, at the Township of Upper Pittsgrove, in the County of Salem, and at the Township of

Franklin, in the County of Gloucester, ANTHONY DALESSANDRO and PETER MONTELEONE, JR., did possess property, that is, farm equipment belonging to Deliang Zhang, with a value in excess of \$500.

2. Between on or about January 19, 2009 and February 5, 2009, at the Township of Franklin, in the County of Gloucester, BRIAN HINKLE did possess property, that is, farm equipment belonging to Wayne Pan, Deliang Zhang, and John Saalman, with a value in excess of \$500.

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

(Theft by Unlawful Taking - Third Degree)

ANTHONY DALESSANDRO

and

PETER MONTELEONE, JR.

on or about January 22, 2009, at the Township of Upper Pittsgrove, in the County of Salem, at the Township of Franklin, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the moveable property of Deliang Zhang, that is, two golf carts having a value in excess of \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3 and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT THREE

(Theft by Unlawful Taking - Third Degree)

PETER MONTELEONE, JR.

and

ANTHONY DALESSANDRO

between on or about January 19, 2009, and on or about February 5, 2009, at the City of Newfield, and at the Township of Mantua, both in the County of Gloucester, at Jobstown, at the Township of Springfield, in the County of Burlington, at the City of Vineland, in the County of Cumberland, at the City of Upper Pittsgrove, in the County of Salem, at the Township of Egg Harbor Township, in the County of Atlantic, elsewhere, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the moveable property of Deliang Zhang, Wayne Pan, and John Saalman, that is, property having a value in excess of \$500, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, N.J.S.A. 2C:20-2, and N.J.S.A. 2C:2-6, and against the peace of this State, the government and dignity of the same.

COUNT FOUR

(Receiving Stolen Property - Third Degree)

BRIAN HINKEL

between on or about January 19, 2009, and on or about February 5, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, did commit theft by knowingly receiving or bringing into this State movable property of Deliang Zhang, Wayne Pan, and John Saalman, that is, farm equipment having an aggregate value in excess of \$500, knowing the same to be stolen or believing that it had probably been stolen, contrary to the provisions of N.J.S.A. 2C:20-7 and N.J.S.A. 2C:20-2, and against the peace of this State, the government and dignity of the same.

COUNT FIVE

(Obstructing the Administration of Law or  
Other Governmental Function - Fourth Degree)

PETER MONTELEONE, JR.

on or about January 22, 2009, at the Township of Franklin, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, purposely did prevent New Jersey State Police Trooper B. McCarty, a public servant, from lawfully performing an official function by means of flight, that is, the said PETER MONTELEONE, JR., did flee from a vehicle which had been stopped by New Jersey State Police Trooper B. McCarty during an investigation, thereby obstructing the detection or investigation of a crime or the prosecution of the said PETER MONTELEONE, JR., for a crime, contrary to the provisions of N.J.S.A. 2C:29-1, and against the peace of this State the government and dignity of the same.

COUNT SIX

(Obstructing the Administration of Law or  
Other Governmental Function - Fourth Degree)

PETER MONTELEONE, JR.

on or about March 20, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, purposely did attempt to prevent New Jersey State Police Troopers J. Mcgee and D. Cunning, public servants, from lawfully performing an official function by means of flight, that is, the said PETER MONTELEONE, JR., did attempt to flee from his residence, thereby obstructing the detection or investigation of a crime or the prosecution of the said PETER MONTELEONE, JR., for a crime, contrary to the provisions of N.J.S.A. 2C:29-1, and against the peace of this State the government and dignity of the same.

COUNT SEVEN

(Possession of a Weapon For an Unlawful  
Purpose - Second Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, did possess a certain weapon, that is, a loaded .45 Kahr semi-automatic pistol, with purpose to use it unlawfully against the person or property of another, contrary to the provisions of N.J.S.A. 2C:39-4a, and against the peace of this State, the government and dignity of the same.

COUNT EIGHT

(Aggravated Assault - Third Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did, under circumstances manifesting extreme indifference to the value of human life, point or display a firearm, that is, a loaded Kahr .45 semi-automatic pistol, at or in the direction of a law enforcement officer, contrary to the provisions of N.J.S.A. 2C:12-1b(9), and against the peace of this State, the government and dignity of the same.

COUNT NINE

(Unlawful Possession of an Assault Firearm - Third Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess an assault rifle, that is, a Calico .22 caliber long rifle semiautomatic carbine, serial number 012145, without having first obtained a license pursuant to N.J.S.A. 2C:58-5, registered the weapon pursuant to N.J.S.A. 2C:58-12, or rendered the weapon inoperable pursuant to N.J.S.A. 2C:58-13, contrary to the provisions of N.J.S.A. 2C:39-5f, and against the peace of this State, the government and dignity of the same.

COUNT TEN

(Unlawful Possession of an Assault Firearm - Third Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess an assault rifle, that is, a 7.62 X 39 mm caliber Norinco semiautomatic rifle, serial number 8181174, without having first obtained a license pursuant to N.J.S.A. 2C:58-5, registered the weapon pursuant to N.J.S.A. 2C:58-12, or rendered the weapon inoperable pursuant to N.J.S.A. 2C:58-13, contrary to the provisions of N.J.S.A. 2C:39-5f, and against the peace of this State, the government and dignity of the same.

COUNT ELEVEN

(Unlawful Possession of an Assault Firearm - Third Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess an assault rifle, that is, a .223 caliber Colt semiautomatic rifle, serial number SP53090, without having first obtained a license pursuant to N.J.S.A. 2C:58-5, registered the weapon pursuant to N.J.S.A. 2C:58-12, or rendered the weapon inoperable pursuant to N.J.S.A. 2C:58-13, contrary to the provisions of N.J.S.A. 2C:39-5f, and against the peace of this State, the government and dignity of the same.

COUNT TWELVE

(Unlawful Possession of an Assault Firearm - Third Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess an assault rifle, that is, a .30 caliber National Ordnance semiautomatic carbine, serial number 34933, without having first obtained a license pursuant to N.J.S.A. 2C:58-5, registered the weapon pursuant to N.J.S.A. 2C:58-12, or rendered the weapon inoperable pursuant to N.J.S.A. 2C:58-13, contrary to the provisions of N.J.S.A. 2C:39-5f, and against the peace of this State, the government and dignity of the same.

COUNT THIRTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74A for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT FOURTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74B, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT FIFTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74C, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT SIXTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74D, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT SEVENTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74E, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT EIGHTEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74F, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT NINETEEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74G, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74J, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-ONE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74P, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-TWO

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74U, for a Colt AR-15 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-THREE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74W, for an Armalite AR-7 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-FOUR

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74X, for an Armalite AR-7 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-FIVE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74M, for a National Ordnance M1 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-SIX

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74N, for a National Ordnance M1 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-SEVEN

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74V, for a National Ordnance M1 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-EIGHT

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74, for a Ruger Mini 14 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT TWENTY-NINE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74H, for a Ruger Mini 14 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74T, for a Ruger Mini 14 semiautomatic rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-ONE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74Q, for a Smith and Wesson model 915 semiautomatic pistol, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-TWO

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL


on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #74R, for a Smith and Wesson Model 915 semiautomatic pistol, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.

COUNT THIRTY-THREE

(Possession of a Prohibited Device - Fourth Degree)

BRIAN HINKEL

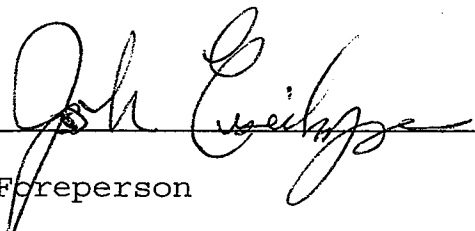
on or about January 26, 2009, at the City of Newfield, in the County of Gloucester, elsewhere, and within the jurisdiction of this Court, knowingly did possess a large capacity ammunition magazine, that is, the said BRIAN HINKEL did possess a large capacity ammunition magazine, marked Specimen #38A, for a Calico semiautomatic carbine rifle, contrary to the provisions of N.J.S.A. 2C:39-3j, and against the peace of this State, the government and dignity of the same.



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John-Robin M. Quelch  
Assistant Attorney General  
Deputy Director

A TRUE BILL:



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Foreperson

Dated: 8/27/2010

