

AFFIDAVIT OF PROBABLE CAUSE

Case Number: I-2013-027766

I, DETECTIVE TOH, PAUL 159 of full age being duly sworn as a law enforcement officer, according to law, deposes and says

1. I have probable cause to believe and do believe that the person known as SYPHRETT, DEREK and more particularly described as follows:

BLACK MALE, DOB: [REDACTED], SOC: [REDACTED], WGT: 140 LBS, HEIGHT: 6FT 2IN. 252 FOUNTAYNE LANE, LAWRENCE, NEW JERSEY 08648

has committed and is wanted in connection with the offense(s) of

2C:12-3 TERRORISTIC THREATS

which occurred on or about the 09 day of August, 2013 in the CITY of TRENTON, N.J.

2. The facts and circumstances that I believe establish probable cause that the above listed offense(s) did occur and were committed by the above defendant are as follows,

On Wednesday, August 14, 2013, I (Detective Paul Toh) was informed of a e-mail that was received by Judge C.F. chambers on Friday, August 9, 2013. The e-mail was from Derek Syphrett (dsyphrett@gmail.com). The e-mail stated "Cops forgot the metaphor: Basically METAPHORICALLY SPEAKING ONLY: I am handing out a bunch of knives to each party. Refusing to act first or grab a knife myself. Then telling them all: You each have a knife and skin in the game. I am going to go home and work on other things, BUT When I come back I want to see at least one less of you (the corrupt judge) or only 1 of you left. Lol. If I come back disappointed, there will be none of you left when me and my friend finish dealing with this Lol! FREAKING PRICELESS, AND THEY GAVE ME THIS OPPORTUNITY B WILLINGLY! They really don't know me well...I am not a misanthrope, but I do precise misanthropy tactically...Lol. Thanks again sir. Derek." The above email has placed victim CF in imminent fear of death under circumstances reasonable causing the victim to believe the immediacy of the threat and the likelihood of it being carried out. This violates 2C:12-3b

WHEREFORE, deponent prays that an arrest warrant may be issued authorizing the arrest of the aforesaid person on the premises in which he or she may be found in the manner provided by law.

Det. Paul Toh #159  
Signature

\*\* DO NOT WRITE BELOW THIS LINE \*\*

Date Sworn and subscribed

this 18 day of Aug, 2013

Judge Pedro Jimenez (set telephonically 1155 hrs)  
Signature

Form 20 (Rev. Mar-06)

## INVESTIGATION REPORT

175 SOUTH BROAD STREET  
609-989-6111  
TRENTON, NJ 08650

Municipal Code: 1100  
ORI: NJ0110000

DEPARTMENT CASE NUMBER I-2013-027766		MUN. CODE 1100	PHONE NUMBER 609-989-6111		UCR	DEPARTMENT ARREST NUMBER		
CRIME/INCIDENT THREAT TO KILL (2656)			NJS 2C:12-3B		VICTIM NAME (Last Name, First Name, MI) FITZPATRICK, CATHERINE			DOB
DATE AND TIME		BETWEEN <input type="checkbox"/>	HOUR 00:00	MONTH 08	DAY 14	YEAR 2013	VICTIM'S HOME ADDRESS 175 S BROAD ST, TRENTON NJ 08608	PHONE
CRIME/INCIDENT LOCATION 175 S BROAD ST, TRENTON NJ 08608					EMPLOYER STATE OF NEW JERSEY		PHONE 609-571-4391	
MUNICIPALITY		COUNTY MERCER		CODE 1100	PERSON REPORTING CRIME FITZPATRICK, CATHERINE		DATE AND TIME 08/18/2013 09:07	
TYPE OF PREMISES Other		WEAPONS - TOOLS		ADDRESS 175 S BROAD ST, TRENTON NJ 08608			PHONE 609-571-4391	
MODUS OPERANDI ABOVE LISTED VICTIM RECEIVED A THREATENING EMAIL FROM DEREK SYPHRETT.								
VEHICLE	YEAR	MAKE	MODEL	BODY TYPE	COLOR	REG. PLATE-STATE	VIN	VEHICLE VALUE
VALUE STOLEN PROPERTY	CURRENCY	JEWELRY		FURS	CLOTHING		AUTO	MISC.
TOTAL VALUE STOLEN \$0.00		TOTAL VALUE RECOVERED		TELETYPE ALARM	TECHNICAL SERVICES		TECHNICAL AGENCY	
WEATHER CLOUDY		SID		NIC		ASSISTING AGENCIES LAWRENCE POLICE DEPARTMENT		
NO. OF ACCUSED 1	ADULT 1	JUVENILE 0	STATUS CRIME		STATUS CASE CLOSED		UCR STATUS	DATE CLEARED 08/18/2013
<p>NARRATIVE</p> <p>***** PARTIES INVOLVED *****</p> <p>ROLE: Arrested   NAME: SYPHRETT, DEREK   HOME ADDRESS: 252 POUNTAYNE LN, LAWRENCE NJ 08648   HOME PHONE: 732-698-8464   HOME ALT. PHONE: 609-936-0025   WORK ADDRESS: UNEMPLOYED -   SEX: M   DOB: 01/24/1976   AGE: 37   SSN: 042-74-0006   RACE: BLACK   HAIR COLOR: BLACK   COMPLEXION: BLACK   HEIGHT: 6' 2"   WEIGHT: 140   DL#: 896771646301761   DL EXP: 05/18/2014   DL STATE: NJ   FBI#: 26842V00   SBI#: 949648E</p> <p>ROLE: Police   NAME: LT. SCHROELLKOPF, SCOTT   HOME ADDRESS: 175 S BROAD ST, TRENTON NJ 08608   HOME PHONE: 609-989-6111   HEIGHT: 0' 0"</p> <p>ROLE: Police   NAME: NIZOLEK, JAMES DETECTIVE   WORK ADDRESS: 175 S BROAD ST, TRENTON NJ 08608   WORK PHONE: 609-989-6111   HEIGHT: 0' 0"</p> <p>ROLE: Witness   NAME: OLIVER, LAURA   WORK ADDRESS: 175 S BROAD ST, TRENTON NJ 08608   WORK PHONE: 609-571-4391   HEIGHT: 0' 0"</p> <p>ROLE: Police   NAME: COLOATO, SGT. JOE   WORK ADDRESS: 2207 LAWRENCE RD, LAWRENCE NJ 08648   WORK PHONE: 609-896-0225   HEIGHT: 0' 0"</p> <p>ROLE: Police   NAME: OFFICER, LEE   WORK ADDRESS: 2207 LAWRENCE RD, LAWRENCE NJ 08648   WORK PHONE: 609-896-0225   HEIGHT: 0' 0"</p> <p>On August 14, 2013, at approximately 1500 hours, I (Detective Paul Toth) was advised by Lieutenant Schrollkopf of a threat towards Mercer County Superior Court Judge Catherine Fitzpatrick. I was further informed the threat was in the form of an email and the email was sent by Derek Syphrett (01-24-1976)....</p>								
NAME DETECTIVE TOTH, PAUL		159		DATE OF REPORT	REVIEWED BY LIEUTENANT SCHROELLKOPF, SCOTT		SIGNATURE 042	

### INVESTIGATION REPORT

175 SOUTH BROAD STREET  
800-969-6111  
TRENTON, NJ 08650

Municipal Code: 1100  
ORI: NJ0110000

INCIDENT # : I-2013-027766

the Mercer County Correctional Center and lodged by Lieutenant Schoellkopf and Detective Nizolek.

RANK	SIGNATURE OF OFFICER SUBMITTING REPORT	COMMAND	BADGE NUMBER
DETECTIVE TOTH, PAUL			159

## INVESTIGATION REPORT

175 SOUTH BROAD STREET  
609-889-6111  
TRENTON, NJ 08680

Municipal Code: 1100  
ORI: NJ0110000

INCIDENT # : I-2013-027766

Lieutenant Schoellkopf and I then proceeded to Judge Fitzpatrick chambers located at the Mercer County Superior Courthouse at 175 South Broad Street Trenton, NJ.

When we arrived at Judge Fitzpatrick's chambers I spoke with Judge Fitzpatrick and her law Clerk Lauren Oliver. Judge Fitzpatrick stated she has had a lengthy divorce trial with a person named Derek Syphrett. Judge Fitzpatrick then showed us an e-mail from Derek Syphrett which alarmed her. The email contained the following:

"Oops forgot the metaphor: Basically METAPHORICALLY SPEAKING ONLY: I am handing out a bunch of knives to each party. Refusing to act first or grab a knife myself. Then telling them all: You each have a knife and skin in the game. I am going to go home and work on other things, BUT When I come back I want to see at least one less of you (the corrupt judge) or only 1 of you left. Lol. If I come back disappointed, there will be none of you left when me and my friend finish dealing with the LOL! FREAKING PRICELESS, AND THEY GAVE ME THIS OPPORTUNITY 8 WILLINGLY! They really don't know me well.. I am not a misanthrope, but I do precise misanthropy tactically..Lol. Thanks again sir. Derek"

The e-mail was sent from Derek Syphrett (dsyphrett@gmail.com). This email address was confirmed by Oliver as Derek Syphrett's. She further elaborated that in the past she has received emails from Derek Syphrett and that was the email address he has always utilized in the past. A copy of the email was provided to us from Judge Fitzpatrick and later placed in to evidence.

On Thursday, August 15, 2013, at approximately 0900 hours, Lieutenant Schoellkopf and I attempted to contact First Assistant Prosecutor Angelo Onofri to discuss the above email and determine if the email contained a Terroristic Threat. We were unable to discuss the matter with him due to the fact that he was involved in an investigation with an officer involved shooting that occurred earlier that morning.

On Thursday, August 15, 2013, at approximately 1530 hours, Lieutenant Schoellkopf and I met with Judge Jacobson (Mercer AJSC), Judge Fitzpatrick, and Sue Regan (Mercer Trial Court Administrator) in Judge Jacobson's chambers located at 400 South Warren Street Trenton, NJ. At the meeting, Judge Jacobson stated her chamber's has received numerous forms of communication from Derek Syphrett. Also, Sue Regan stated she has received multiple forms of communication from Derek Syphrett via her secretary and division managers.

On Sunday, August 18, 2013, I was advised by Lieutenant Schoellkopf that Derek Syphrett contacted the Federal Bureau of Investigation (FBI) and told them he was going to make a citizens arrest of Judge Fitzpatrick, Warshaw, Jacobson, and/or DeBello at 175 South Broad Street sometime on Monday, August 19, 2013. The FBI agent further stated that Syphrett was upset about his ongoing Family Court matter and believed that the above Judges should be and will be arrested by him for official misconduct. Lieutenant Schoellkopf and I contacted all of the above Judges and informed them of the threat made against Judge Fitzpatrick and that Syphrett wanted to citizens arrest each of them sometime on Monday. We also contacted each municipal police department where the above Judges reside, advised them of the threat, and asked them to increase their patrols in the area near these Judges residences.

At the Mercer County Sheriff's Office, Lieutenant Schoellkopf contacted Prosecutor Angelo Onofri and advised him of the email that was sent to Judge Fitzpatrick. After speaking to and reading the email verbatim to Prosecutor Angelo Onofri, it was determined the email from Derek Syphrett contained terroristic threats towards Judge Fitzpatrick.

I prepared an affidavit of probable cause and a warrant complaint (1111W2013002897) for the arrest of Derek Syphrett. After they were complete, I contacted Mercer County Superior Court Judge Pedro Jimenez. Judge Jimenez set Derek Syphrett's bail at \$50,000 no 10%. Once completed, Lieutenant Schoellkopf, Detective Nisolek, and I proceeded to the Lawrence Township Police Department to assist us with apprehending Derek Syphrett. Upon our arrival at the Lawrence Township Police Department and I briefed Sgt. Joe Colorio and members of his squad. I informed him of the arrest warrant I had for Derek Syphrett whose residence was 252 Fountaine Lane in Lawrence Township. After the briefing, we proceeded to Derek Syphrett's residence at 252 Fountaine Lane Lawrence Township, New Jersey.

At approximately 1420 hours, I arrested Derek Syphrett at 252 Fountaine Lane, without incident. Derek Syphrett was transported to the Mercer County Sheriff's Office by Officer Lee (Lawrence Township Police Department) and Lieutenant Schoellkopf. Derek Syphrett was photographed, fingerprinted, and processed for the charge of Terroristic Threats. After completion, Derek Syphrett was transported to

RANK	SIGNATURE OF OFFICER SUBMITTING REPORT	COMMAND	BADGE NUMBER
DETECTIVE TOTH, PAUL			159

**MERCER COUNTY SHERIFF**

176 SOUTH BROAD STREET  
TRENTON, NJ 08650

**ADULT ARREST REPORT**

Municipal Code: 1100  
ORI: NJ0110000

609-989-6111

INCIDENT # I-2013- 027766	CALL TYPE 307 - THREATS ON JUDGE	DATE REPORTED 08/18/2013	TIME REPORTED 09:07	INCIDENT LOCATION 175 S BROAD ST, TRENTON NJ 08608	INCIDENT # I-2013-027766			
<b>DEFENDANT INFORMATION</b>		<b>ARREST NUMBER</b>						
LAST NAME SYPHRETT	FIRST NAME DEREK	MI	SUFFIX	HOME PHONE 732-698-9464	DATE 8/18/2013			
ALIAS/ALIASES		ALTERNATE PHONE 609-558-3624		CELL PHONE / PAGER 609-936-0025				
DEFENDANT'S ADDRESS (#, STREET NAME) 252 MOUNTAIN LN		UNIT TYPE	UNIT #	CITY LAWRENCE		STATE NJ	ZIP 08648	
SEX M	RACE BLACK	DOB [REDACTED]	AGE 37	SOCIAL SECURITY # [REDACTED]		HEIGHT (ft./in.) 6' 2"	WEIGHT 140	
HAIR COLOR BLK	EYE COLOR BRN	COMPLEXION BLK	MARITAL STATUS Divorced	ETHNICITY NON-HISPANIC		US CITIZEN Y	RESIDENCY STATUS Resident	
PLACE OF BIRTH (CITY)	STATE (COUNTRY IF NOT BORN IN US)		SCARS / MARKS / TATTOOS					
BDI # 9496482	FBI # 26842VDC	CSI #	DRIVER'S LICENSE # 856771646301761	DL STATE NJ		DL EXPIRE 05/2014		
EMPLOYER / SCHOOL UNEMPLOYED	OCCUPATION / GRADE	PHONE	ADDRESS (#, STREET NAME, CITY, STATE, ZIP)					
NAME OF NEAREST RELATIVE	RELATIONSHIP	PHONE	ADDRESS (#, STREET NAME, CITY, STATE, ZIP)					
<b>ARREST DETAILS</b>		<input checked="" type="checkbox"/> WARRANT <input type="checkbox"/> ON VIEW ARREST <input type="checkbox"/> SUMMONS		<input checked="" type="checkbox"/> PHOTOGRAPHED <input type="checkbox"/> FINGERPRINTED				
TYPE OF WARRANT Arrest Warrant	AGENCY'S OCA MERCER COUNTY SB	LOCATION OF ARREST 252 MOUNTAIN LN, LAWRENCE, NJ 08648		DATE / TIME OF ARREST 8/18/2013 13:30				
WANTS N	ATS/ACS N	IF WANTED, NAME OF AGENCY MERCER CO SHERIFF	AGENCY'S OCA 1100	WARRANT # 1111W2013002897	DATE/TIME CONFIRMED 08/18/2013 13:30	PERSON CONFIRMING WARRANT UNDESIGNED		
MIRANDA GIVEN Y	MIRANDA GIVEN BY (RANK, LAST, FIRST, ID#)		DATE/TIME GIVEN	WITNESSED BY (RANK, LAST, FIRST, ID#)		STATEMENT GIVEN		
<b>OFFENSE DETAILS</b>		<input type="checkbox"/> GANG RELATED <input type="checkbox"/> BIAS MOTIVATION <input type="checkbox"/> DOMESTIC VIOLENCE						
1	CDR # / M. V. SUMMONS # 1111W2013002897	OFFENSE THREAT TO KILL (2656)	N.J. STATUTE / ORDINANCE 2C:12-3B					
2								
3								
LOCATION OF OFFENSE (#, STREET NAME, UNIT TYPE, UNIT #, CITY, STATE, ZIP) 175 S BROAD ST, TRENTON NJ 08608			DATE / TIME OF OFFENSE 8/9/2013 15:15	MUNICIPAL CODE 1111	UCR CODE			
COMPLAINANT <input checked="" type="checkbox"/> OFFICER <input type="checkbox"/> VICTIM	LAST NAME TOPE	FIRST NAME DET.	POLICE AGENCY/ADDRESS 175 S BROAD ST TRENTON, NJ 08609		AGENCY / VICTIM PHONE 609-989-6111			
<b>VEHICLE INFORMATION</b>		<input checked="" type="checkbox"/> NOT APPLICABLE <input type="checkbox"/> OWNER SAME AS DEFENDANT <input type="checkbox"/> VEHICLE IMPOUNDED						
VEHICLE MAKE	MODEL	YEAR	COLOR	LICENSE PLATE	STATE REG.	REG. EXPIRE	VIN	MUGSHOT
<b>NARRATIVE / ADDITIONAL CHARGES</b>								
On Sunday, August 18, 2013, the above named defendant (Derek Syphrett) was arrested at 252 Mountaine Lane in Lawrence, New Jersey. Syphrett had a arrest warrant (1111W2013002897) issued from Judge Pedro Jimenez for Terroristic Threats. Once Syphrett was in custody, he was transported to the Mercer County Sheriff's...								
<b>ADMINISTRATIVE</b>								
AFIS <input type="checkbox"/> YES <input type="checkbox"/> NO	AFIS ID MATCHES DEFENDANT <input type="checkbox"/> YES <input type="checkbox"/> NO	BAIL SET BY JUDGE PEDRO JIMENEZ		DATE/TIME BAIL SET 8/18/2013 11:55	CASH BAIL AMOUNT \$50,000	SURETY BOND		
ADDITIONAL CONDITIONS OF BAIL PROSECUTOR TO BE NOTIFIED UPON RELEASE			DISPOSITION OF DEFENDANT Lodged in Jail		BAIL PLACED IN PROPERTY LOCKER #			
SUBMITTING OFFICER'S SIGNATURE			DATE 8/18/2013	SUPERVISOR'S SIGNATURE		DATE		
REPORT SUBMITTED BY (RANK, LAST, FIRST, ID#) DETECTIVE TOPE, PAUL				159	REPORT APPROVED BY (RANK, LAST, FIRST, ID#) LIEUTENANT SCROCKLROFF, SCOTT		042	

**MERCER COUNTY SHERIFF**

**ADULT ARREST REPORT**

175 SOUTH BROAD STREET  
TRENTON, NJ 08650

Municipal Code: 1100  
ORI: NJ0110000

609-989-8111

INCIDENT # : I-2013-027766

for processing. After processing was complete, Derek Syphrett was transported to the Mercer County Correctional Center and lodged.

From: Derek Syphrett <dsyphrett@gmail.com>  
To: Stuart Welner <[REDACTED]> "John H. Rittley" <[REDACTED]>  
Cc: laura.oliver <[REDACTED]>

Date: Friday, August 09, 2013 03:15PM  
Subject: Re: Response to Anonymous legal expert

Oops forgot the metaphor:

Basically METAPHORICALLY SPEAKING ONLY:

I am handing out a bunch of knives to each party.

Refusing to act first or grab a knife myself.

Then telling them all:

"You each have a knife and skin in the game.

I am going to go home and work on other things, BUT

When I come back I want to see at least one less of you (the corrupt judge) or only 1 of you left.

Lol.

If I come back disappointed, there will be none of you left when me and my friend finish dealing with this LOL!

FREAKING PRICELESS, AND THEY GAVE ME THIS OPPORTUNITY B WILLINGLY!

They really don't know me well... I am not a misanthrope, but I do precise misanthropy tactically ... Lol.

Thanks again sir.

Derek

On Aug 9, 2013 3:09 PM, "Derek Syphrett" <dsyphrett@gmail.com> wrote:

Basically to use a metaphor the plan was to:

1. Wait for some seriously horribly constructed court orders
2. Get the judge to say some really ridiculous things, and Ideally yell to shut me up about her past contradictory statements.
3. Get judge to go on the record and admit some seemingly benign prejudicial statements and conflicts, like "I love everything about (implicitly everyone too) in my local bar association."... Which includes adversarial counsel.

**RECEIVED**

AUG 13 2013

Catherine Fitzpatrick, P.J.F.P.

4. Research other conflicts. This particular judge has some conflicts that actually should bar her from family practice entirely / greatly restrict it.

5. Research other recorded prejudicial statements / witnesses.

6. Identify constitutional violations - pair them with the supremacy clause.

Etc.

Check, check, check.... Lol,

Then, surprise the heck out of these arrogant idiots.

BOTTOM LINE:

At this point, I can tell them most of what I am doing... Because even if the court doesn't do anything... I have tons of recordings and letters, emails.

They must have thought I like to write... I was documenting and creating a virtual diary actually... Easy to do a timeline now for 3 years.

Best,

Derek

On Aug 9, 2013 2:49 PM, "Derek Syphrett" <[dsyphrett@gmail.com](mailto:dsyphrett@gmail.com)> wrote:

Actually:

I got some advice on how to ensure the non-criminal ethics issues are handled by outside people.

Don't want to get into the details with my "open email" (here).

But I did some consulting with someone with experience ending careers and corruption.

There is a pathway that is more pro reform.

I don't care if all of this gets handled privately or if careers are ended as a result. That is not a primary objection.

#1 the corruption must end in my case.

#2 the bad actors must Never be involved in my case again.

#3 my kids get their dad back and the costs of travel are born by plaintiff... She gets zero support (perjury) kids Bill's are paid directly by me as I become able to pay.

#4 settlement clearly states (In the event support is included) that ALL money must be spent



on children with proofs for at least 70% of expenses provided every 60 days.

=====

Should these people be barred from practicing law?

Yes, children will obviously be traumatized, like mine if not.

So is this a secondary goal... Sure... They should be barred from private practice and forced to work only on issues not involving children.

It would be unethical of me not to try to protect others.

I've communicated this to court officers / administrators.

I frankly revere the court's and the rule of law... So the court doesn't need a "black eye".

Either the court deals with this privately and properly, or I pull in outside agencies that supporters have political ties with.

worse case... Redacted copies of the case file will appear in all sorts of embarrassing places.

I've luckily been put in touch with some people inside this court house, who are back channeling information.

These idiots had no idea I've been hatching this plan for 2 years.

Guess they thought I was a naive, stupid, nigger.

cops.

I am none of the above... I've got friends in good places (never thought I'd be forced to call in favors).

Got friends in NYC and multiple at FBI and local police in both my town and my wife's town.

They have been helping, because they know the truth.

Still got lots more to do, so I hope the court and these idiot lawyers, just do the right thing.

People are watching, I am not alone, I just have to do most of the documentation myself.

**BOTTOM LINE:**

what I learned from my days working with the hedge funds was:

If you want a different result, you have to do things differently than others - simple and true.

Basically, never follow the court's advice on resolution of these issues... They don't want to

help... They want status quo.

Funny listen to local bar members etc.

I mean look at the FBI raid in Pennsylvania, or reforms in Florida and Georgia.

You gotta go the extra mile.

Like you did... You got screwed though, because you had no political allies.

Best,

Derek

On Aug 9, 2013 1:07 PM, "ANONYMOUS"

>  
> O.k if you ever need someone to assist with research or editing... either call or email - I went through something similar many years ago and it left a sour taste in my mouth.

>  
> On Fri, Aug 9, 2013 at 12:20 PM, Derek Syphrett <[dsyphrett@gmail.com](mailto:dsyphrett@gmail.com)> wrote:

>> My letter to the law firm covered RPC 8.3 and 8.4... Also in my judicial complaint.

>> Thanks again, for your friendly: help, support, and advice.

>> I am meeting with a law enforcement agency shortly as the telephone interview went well, they want documents to consider next step / RICO.

>> Derek

>> On Aug 9, 2013 11:14 AM, "ANONYMOUS"

>> > look at rpc 3.3 candor toward the tribunal and 8.4 and 8.3 related to doing a proper job etc... also look to fraud with r3.3

>> > good luck... I was just looking at my stuff related to filing a complaint against a lawyer... when an action is ongoing, the bar refuses to take any action against an attorney...

>> > They also do not retain complaints against attorneys for any significant amount of time. Last, but not least, the issue of closed secret bar reviews prevents others from coming forward to make similar complaints about a lawyers misconduct. I would file a complaint against him - just so you have it on record. However, there is a down side. that is that he can then get off the case saying he cannot work with you...

>> >

>> >

>> >

>> > On Fri, Aug 9, 2013 at 12:48 AM, Derek Syphrett <[dsyphrett@gmail.com](mailto:dsyphrett@gmail.com)> wrote:

>> >>

>> >> What's the plan for next week Stuart?

>> >>

>> >> Are you going to continue to obstruct a court order for properly representing me or are you going to represent me in violation of due process, the constitution, and court rules.

>> >>

>> >> Which is it?

>> >>  
 >> >> Judge Fitzpatrick put you in an unenviable position, but don't take it personally.  
 >> >>  
 >> >> I don't.  
 >> >>  
 >> >> My kids don't, because:  
 >> >>  
 >> >> I have to tell them that their mom and the other people involved are trying to figure out how to help them have daddy visits.... I have to pretend that's the case to protect my kids and give them hope that they'll see me again. Despite the fact I DON'T believe that the court is trying to help (or that it cares about these amazing kids of mine).  
 >> >>  
 >> >> Anyway, I have to assume you guys are adhering to the Institution court rule: PROTECT THE APPARENT OF THE INTEGRITY OF THE COURT, RATHER THAN THE ACTUAL INTEGRITY OF THE COURT.  
 >> >>  
 >> >> REQUEST FOR STUART:  
 >> >>  
 >> >> WHAT'S THE PLAN FOR NEXT WEEK.  
 >> >>  
 >> >> Are you functioning as a court appointed lawyer or not.  
 >> >>  
 >> >> I can't tell I called today and your staff didn't return my call.  
 >> >>  
 >> >> David Lazarus hasn't responded for 2 weeks even though I have left 7 messages and sent several emails.  
 >> >>  
 >> >> So can you explain if you are  
 >> >>  
 >> >> A) in contempt of court order visa vi court rule: 6.5 & 2C: 29-9  
 >> >>  
 >> >> B) violating my constitutional rights and rule 5:3-3 by suggesting your appointment was legal  
 >> >>  
 >> >> C) somehow not responding to THE MAJORITY of my requests, legal questions, status updates, refusing to answer my emails or calls, allowing the GAL send: legal advice/ legal interpretations/ and legal documents as if the GAL were lawyer  
 >> >>  
 >> >> - WHILE SIMULTANEOUSLY - NOT being in contempt of an order requiring you to provide competent legal counsel, and  
 >> >>  
 >> >> SIMULTANEOUSLY providing me appropriate legal counsel under rule 6.5 and SIMULTANEOUSLY: not in contempt of court order despite: ignoring several reasonable requests related to settlement/ legal questions, status updates /my phone calls/, and / or my other requests?  
 >> >>  
 >> >> Separately:  
 >> >>  
 >> >> Are we still meeting next week or would you agree you are way too conflicted and non-responsive to represent me?  
 >> >>  
 >> >> Understand there will in the end be multiple investigations  
 >> >>

>> >> In fact I predicted it in trial opening statement.

>> >>

>> >> I predicted self inflicted wounds -metaphorically- for my legal adversaries visa vi immoral conduct.

>> >>

>> >> LASTLY

>> >> SEE RULES 6.5 & 7.1

>> >>

>> >> RPC 7.1. Communications Concerning a Lawyer's Service

>> >>

>> >> (a) A lawyer shall not make false or misleading communications about the lawyer, the lawyer's services, or any matter in which the lawyer has or seeks a professional involvement. A communication is false or misleading if it:

>> >>

>> >> (1) contains a material misrepresentation of fact or law, or omits a fact necessary to make the statement considered as a whole not materially misleading;

>> >>

>> >> (2) is likely to create an unjustified expectation about results the lawyer can achieve, or states or implies that the lawyer can achieve results by means that violate the Rules of Professional Conduct or other law;

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# COMPLAINT - WARRANT

COMPLAINT NUMBER				THE STATE OF NEW JERSEY VS. DEREK C SYPHRETT ADDRESS: 252 FOUNTAYNE LANE LAWRENCEVILLE NJ 08648-2677	
1111	W	2013	002897		
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
TRENTON MUNICIPAL COURT 225 N CLINTON AVE TRENTON NJ 08607 (609) 989-3700 COUNTY OF: MERCER					
# of CHARGES	CO-DEFTS	POLICE CASE #:		DEFENDANT INFORMATION	
1		13-027766		SEX: M EYE COLOR: BROWN DOB: 01-24-1976	DL STATE:
COMPLAINANT NAME: PAUL TOTH 175 SOUTH BROAD ST PO BOX 8068 TRENTON NJ 08650-006				DRIVER'S LIC. #: SOCIAL SECURITY #: 042-74-0006 SBI #: 9496482 TELEPHONE #:	

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 08-09-2013 in **TRENTON CITY** **MERCER** County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DEFENDANT DEREK SYPHRETT, SENT AN E-MAIL COMMUNICATION TO MERCER COUNTY SUPERIOR COURT JUDGE C.F. S CHAMBERS LOCATED AT 175 SOUTH BROAD STREET, TRENTON, NJ. IN THE CONTENTS OF THE E-MAIL COMMUNICATION, DEREK SYPHRETT THREATENED TO KILL C.F. WITH THE PURPOSE OF PUTTING C.F. IN IMMINENT FEAR OF DEATH UNDER CIRCUMSTANCES REASONABLY CAUSING C.F. TO BELIEVE THE IMMEDIACY OF THE THREAT AND THE LIKELIHOOD THAT IT WILL BE CARRIED OUT, IN VIOLATION OF N.J.S.A. 2C:12-3B. \*\*\*3RD DEGREE\*\*\*  
 \*\*\*WARRANT COMPLAINT UTILIZED: THERE IS REASON TO BELIEVE THAT THE DEFENDANT IS DANGEROUS TO SELF, OTHER PERSONS, OR PROPERTY.\*\*\*

In violation of:

Original Charge	1) 2C:12-3B	2)	3)
Amended Charge			

**OATH:**  
 Subscribed and sworn to me this 19 day of Aug, yr 2013  
 Signed: Det. Paul [Signature] #159  
(Signature of Complaining Witness)  
 Signed: Judge Pedro Jiminez (set telephonically 1155 hrs)  
(Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE 08-20-2013 TIME 9:00am DATE OF ARREST 00-00-0000

### PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT

Probable cause IS NOT found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator \_\_\_\_\_ Date \_\_\_\_\_ Signature of Judge \_\_\_\_\_ Date \_\_\_\_\_

Probable cause IS found for the issuance of this complaint. Judge Pedro Jiminez (set telephonically) 8-18-13  
Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Ball Amount Set: \$50,000 No 110% by: \_\_\_\_\_  
(if different from judicial officer that issued warrant)

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Domestic Violence - Confidential | <input type="checkbox"/> Related Traffic Tickets or Other Complaints | <input type="checkbox"/> Serious Personal Injury/ Death Involved |
|---|--|--|

Special conditions of release:  
 No phone, mail or other personal contact w/victim  
 No possession firearms/weapons  
 Other (specify): Prosecutor to be notified upon release

ORIGINAL

Page 1 of 7 NJ/CDR2 8/1/2005

# COMPLAINT – WARRANT (Court Action)

COMPLAINT NUMBER				STATE V.  DEREK C SYPHRETT
1111	W	2013	002897	
COURT CODE	PREFIX	YEAR	SEQUENCE NO	

<b>FTA Bail Information</b>		Date Bail Set: _____	Amount Bail Set: \$ _____ by: _____	<input type="checkbox"/> Bail Recog. Attached
Released on Bail (v)	R.O.R.	Committed Default	Committed w/o Bail	Place Committed: _____
Date of First Appearance: 08-20-2013			<input type="checkbox"/> Advised of Rights by _____	Defendant Desires Counsel: <input type="checkbox"/> Yes <input type="checkbox"/> No

Prosecuting Attorney Information				Defense Counsel Information					
Name:				Name:					
State	County	Municipal	Other	None	Retained	Public Def	Assigned	Waived	Other

Original Charge	1) 2C:12-3B	2)	3)
Amended Charge			
Waiver Indt/Jury			
Plea/Date of Plea	Plea: _____ Date: _____	Plea: _____ Date: _____	Plea: _____ Date: _____
Adjudication (* see code)	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____	Finding Code: _____ Date: _____
Jail Term	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____	Jail time credit _____ Susp. Imp _____
Probation Term	Susp. Imp _____	Susp. Imp _____	Susp. Imp _____
Cond. Discharge Term			
Community Service			
D/L Suspension Term			
Fines/Costs	Fines: _____ Costs: _____	Fines: _____ Costs: _____	Fines: _____ Costs: _____
VCCB/SNSF	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____	VCCB: _____ SNSF: _____
DEDR/Lab Fee	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____	DEDR: _____ LAB: _____
CD Fee/Drug Ed Fnd	CD: _____ DAEF: _____	CD: _____ DAEF: _____	CD: _____ DAEF: _____
DV Surch/Other Fees	DV: _____ Other: _____	DV: _____ Other: _____	DV: _____ Other: _____
Restitution Beneficiary: _____			

Miscellaneous Information, Adjournments, Companion Complaints, Co-Defendants, Case Notes:	* Finding Codes 1 - Guilty 2 - Not Guilty 3 - Dismissed - Other 4 - Guilty but Merged 5 - Dismissed-Rule 6 - Dismissed Lack of Prosecution 7 - Dismissed - Ptos Motion/Vio Req 8 - Conditional Discharge D - Dismissed- Prosecutor Discretion M - Dismissed- Mediation P - Dismissed- Plea Agreement S - Disposed at Superior W - Dismissed-False ID
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# COMPLAINT - WARRANT

COMPLAINT NUMBER				<b>THE STATE OF NEW JERSEY</b> VS. <b>DEREK C SYPHRETT</b>	
1111	W	2013	002897		
COURT CODE	PREFIX	YEAR	SEQUENCE NO		
TRENTON MUNICIPAL COURT 225 N CLINTON AVE TRENTON NJ 08607 (609) 989-3700 COUNTY OF: MERCER				ADDRESS: 252 FOUNTAYNE LANE LAWRENCEVILLE NJ 08648-2677	
# of CHARGES	CO-DEFTS	POLICE CASE #:	DEFENDANT INFORMATION		
1		13-027766	SEX: M	EYE COLOR: BROWN	DOB: [REDACTED]
COMPLAINANT NAME: PAUL TOTI			DRIVER'S LIC. #:	STATE:	
175 SOUTH BROAD ST			SOCIAL SECURITY #:	SBI #: 9496488	
PO BOX 8068			TELEPHONE #:		
TRENTON NJ 08650-006					

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 08-09-2013 in TRENTON CITY, MERCER County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, DEFENDANT DEREK SYPHRETT, SENT AN E-MAIL COMMUNICATION TO MERCER COUNTY SUPERIOR COURT JUDGE C.F. S CHAMBERS LOCATED AT 175 SOUTH BROAD STREET, TRENTON, NJ. IN THE CONTENTS OF THE E-MAIL COMMUNICATION, DEREK SYPHRETT THREATENED TO KILL C.F. WITH THE PURPOSE OF PUTTING C.F. IN IMMINENT FEAR OF DEATH UNDER CIRCUMSTANCES REASONABLY CAUSING C.F TO BELIEVE THE IMMEDIACY OF THE THREAT AND THE LIKELIHOOD THAT IT WILL BE CARRIED OUT, IN VIOLATION OF N.J.S.A. 2C:12-3B. \*\*\*3RD DEGREE\*\*\*  
 \*\*\*WARRANT COMPLAINT UTILIZED: THERE IS REASON TO BELIEVE THAT THE DEFENDANT IS DANGEROUS TO SELF, OTHER PERSONS, OR PROPERTY.\*\*\*

In violation of:

Original Charge	2C:12-3B	2)	3)	
Amended Charge				

**OATH:**  
 Subscribed and sworn to me this 18 day of Aug, yr. 2013  
 Signed: Det. Paul Toti #159  
(Signature of Complaining Witness)  
 Signed: Judge Pedro Jiminez (set Telephonically 1155 hrs)  
(Signature of Person Administering Oath and Title)

DATE OF FIRST APPEARANCE 08-20-2013 TIME 9:00am DATE OF ARREST 00-00-0000

**PROBABLE CAUSE DETERMINATION AND ISSUANCE OF WARRANT**

Probable cause IS NOT found for the issuance of this complaint.

Signature of Court Administrator or Deputy Court Administrator \_\_\_\_\_ Date \_\_\_\_\_ Signature of Judge \_\_\_\_\_ Date \_\_\_\_\_

Probable cause IS found for the issuance of this complaint. Judge Pedro Jiminez (set Telephonically) 8-18-13  
Signature and Title of Judicial Officer Issuing Warrant Date

TO ANY PEACE OFFICER OR OTHER AUTHORIZED PERSON: PURSUANT TO THIS WARRANT YOU ARE HEREBY COMMANDED TO ARREST THE NAMED DEFENDANT AND BRING THAT PERSON FORTHWITH BEFORE THE COURT TO ANSWER THE COMPLAINT.

Ball Amount Set: \$50,000 NO 10% by: \_\_\_\_\_  
(if different from judicial officer that issued warrant)

Domestic Violence - Confidential       Related Traffic Tickets or Other Complaints       Serious Personal Injury/ Death Involved

Special conditions of release:  
 No phone, mail or other personal contact w/victim  
 No possession firearms/weapons  
 Other (specify): Prosecutor to be notified upon release

# COMMITMENT

## COMPLAINT NUMBER

1111 W 2013 002897

COURT CODE PREFIX YEAR SEQUENCE NO.

THE STATE OF NEW JERSEY

VS.

DEREK C SYPHRETT

TRENTON MUNICIPAL COURT  
225 N CLINTON AVE  
TRENTON NJ 08607  
(609) 989-3700 COUNTY OF: MERCER

ADDRESS: 252 FOUNTAYNE LANE

LAWRENCEVILLE NJ 08648-2677

# of CHARGES 1 CO-DEFTS POLICE CASE #: 13-027766

DEFENDANT INFORMATION  
SEX: M EYE COLOR: BROWN DOB: [REDACTED] DL STATE:  
DRIVER'S LIC. # [REDACTED]  
SOCIAL SECURITY # [REDACTED] SBI #: 9496488  
TELEPHONE #:

COMPLAINANT PAUL TOTH  
NAME: 175 SOUTH BROAD ST  
PO BOX 8068  
TRENTON NJ 08650-006

## TO THE SHERIFF OR JAILER, OR ANY CONSTABLE, MARSHAL, POLICE OFFICER OR SPECIAL POLICE OFFICER OF THIS COUNTY OR TO ANY OFFICER OR TROOPER OF THE NEW JERSEY STATE POLICE

The defendant herein having been convicted by this court of the offense indicated and having been sentenced to

You, the said sheriff, jailer, constable, marshal, police officer, special officer, officer or trooper are hereby ordered to convey the defendant to the \_\_\_\_\_ of this county, and the keeper thereof is required to receive the defendant into his/her jail and custody and safely keep the defendant for the period of \_\_\_\_\_

Defendant is to be given credit for time spent in custody as follows:

From \_\_\_\_\_ to \_\_\_\_\_

Days Credit \_\_\_\_\_

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

Judge

## COMMITMENT