

NJ Laws Email Newsletter E379

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1. You are invited to Ken Vercammen's Christmas Party and Holiday Social, Friday, December 2, 5:00pm - 7:00pm

2. DP May Require Forfeit of Public Office. State v. Kennedy

3. New Expert Testimony Requires Testimony of Acceptability and Reliability. State v. Pittman

Greetings Kenneth Vercammen,

1. You are invited to Ken Vercammen's Christmas Party and Holiday Social, Friday, December 2, 2011 5:00PM - 7:00PM

Bar Anticipation "Where Summer Never Ends"

703 16th Avenue

Lake Como/ Belmar, NJ 07719

Free for both invited guests and their friends
5-8PM Hot & Cold Buffet with carving station

\$1.00 Drafts 6-7PM [need special wrist band from Ken V]

We are located in the back room past the stage, called the Mahogany Room, near the outdoor bar.

This event is open to your friends. If you are attending, email Ken's Law Office so we can put your name on the list for wristbands.

VercammenLaw@Njlaws.com

Bring a canned food donation for the St. James Food Bank Hands of Hope. Meet the

4. DWI Reversed,
Pause at a Green
Light Not Sufficient
to Stop Car. State v.
Brackin

5. Next Events

"SuperLawyers" of NJ.

Free gifts to clients & friends. The following will be given out:

**Coffee Travel Mugs
Yellow T-Shirt "My attorney fights to win"
Can Coozies
Water Bottle
Stadium Cup
Magnet clip
Band-Aid holders
Candy/ breath mints
Fish cards**

More details at:

<http://www.facebook.com/event.php?eid=175941519154087>

New Cases:

2. DP May Require Forfeit of Public Office. State v. Kennedy 419 NJ Super. 475 (App. Div. 2011)

The offense of tampering with physical evidence is "an offense involving dishonesty," which requires the forfeiture of public office or employment under N.J.S.A. 2C:51-2(a)(1).

3. New Expert Testimony Requires Testimony of Acceptability and Reliability. State v. Pittman 419 NJ Super. 584 (App. Div. 2011)

New Jersey has not considered the admissibility in a criminal case of the results of the phenolphthalein presumptive test for the presence of blood on a person or object or any other presumptive test utilized for that purpose. Nonetheless, in this case, evidence of a positive result was introduced, without objection, by a police detective with no prior experience in conducting the test and no understanding of how it functioned or of the possibility of false positive results occurring as the result of the presence of substances other than blood. The court found the introduction of the test results to constitute reversible error, and in the course of our discussion of the issue, canvassed precedent from other states discussing the conditions for admissibility of the phenolphthalein test and other presumptive tests for the presence of blood.

4. DWI Reversed, Pause at a Green Light Not Sufficient to Stop Car. State v. BrackinA-5994-09T2 Unreported.

Plaintiff's pause at a green light of about 10 sections before proceeding through the intersection was not sufficient length to have raised community caretaking concerns, particularly since defendant's driving after beginning to go through the light was unexceptional, and the police did not have sufficient probable cause to stop defendant's car. His conviction for driving while intoxicated is reversed.

Source: dailybriefing@njsbanjldailybriefing.com 5-05-11

5. Next Events:

11/6/11 RUN with the VIKINGS 5K
10:00AM South Brunswick High School,
Bob Tona's good event

11/13/11 Hashathon 6.6 Mile Cheesequake
challenging, dangerous trails, free beer, best
post race party with band, 732-542-6090
11am

2011 Municipal Court College
Mon, Nov. 14, 2011
5:30 PM - 9:00 PM
New Jersey Law Center, New Brunswick

11/19/11 Manasquan Turkey Trot 5-mile
Manasquan 11am party at taverns after race
discount beer

11/25/11 Born to Run 5 mile Freehold
Friday Free beer at Court Jester tavern 11am

11/26/11 Rumson hash annual Crazy Eddie
memorial trail run, not race 10:17 call for
secret location 732-219-0301

11/27/11 Navesink Challenge 15k and 5k,
Middletown, NJ 732-542-6090 Quality
JSRC event 10:00 AM Free beer at
Firehouse after event

11/29/11 Jersey Shore Runners Club meeting,

snacks and beers provided Deal Firehouse, 7pm, followed by Freezing Cold Hash helpers meeting.

Editorial Assistance provided by Bobbi Asper. Ms. Asper is currently a senior at Rutgers University and is participating in our Fall Internship Program.

Editor's Note and Disclaimer:

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