

**STATE OF NEW JERSEY,  
Plaintiff,**

**v.**

**SEAN M. HIGGINS,  
Defendant.**

**SUPERIOR COURT OF NEW JERSEY  
COUNTY OF SALEM  
LAW DIVISION – CRIMINAL PART**

**INDICTMENT No.: 24-12-400-I**

**MOTION TO DISMISS**

To: First Assistant Prosecutor, Jonathan M. Flynn & AP, Michael R. Mestern  
Salem County Prosecutor's Office  
*(Via Electronic Filing)*

PLEASE TAKE NOTICE that on a date and time to be determined by the Court, the undersigned attorneys for the above captioned Defendant, shall make an application before a Judge of the Superior Court of New Jersey, Salem County, for an Order to Dismiss the Indictment against Defendant, Sean Higgins, based on failure to present exculpatory evidence to the Grand Jury as well as failure to present a prima facie case. The undersigned requests oral argument. Brief to be supplied upon receipt of a Scheduling Order and after receipt of all marked and numbered photographs, charts, graphs or any other exhibits utilized by the State at the Grand Jury presentment on or about December 11, 2024.

Respectfully Submitted,  
Co-Counsel for Defendant, Sean M. Higgins:

Dated: February 4, 2025

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