

**FILED**

JUN 23 2023

CAPE MAY COUNTY  
CIVIL DIVISION

PREPARED BY THE COURT  
Superior Court of New Jersey  
Criminal Courts Complex  
4997 Unami Boulevard  
Mays Landing, NJ 08330

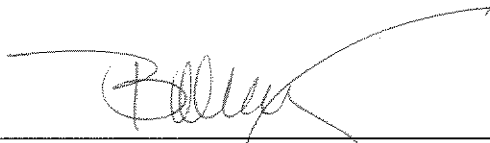
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STATE OF NEW JERSEY	:	<u>CRIMINAL ACTION</u>
	:	
	:	Case No.: CPM-22-000535
	:	Indictment No.: 23-03-0038-I
v.	:	State Grand Jury No.: SGJ783-23-8
	:	
ERNEST V. TROIANO, et al.	:	<u>ORDER</u>

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**THIS MATTER** having been brought before the Court by Defense's motion to dismiss the indictment of Ernest V. Troiano, Steven E. Mikulski, who has joined the motion, and Peter J. Byron, and the Court having considered the transcripts of the presentation to the State Grand Jury, the certification, written submissions, supplemental submissions, and arguments of counsel on the record May 19<sup>th</sup>, 2023;

**IT IS** on this 23rd day of June 2023, **ORDERED** that the defendant's motion to dismiss the indictment is GRANTED, WITHOUT PREJUDICE, AS TO ALL DEFENDANTS for the reasons stated on the record on June 23, 2023 and as set forth in the Court's letter decision of even date. The State may, if it chooses, directly present the matter to another grand jury. The Court will stay entry of the order for 45 days to allow the State to file an appeal. If no such appeal is filed by August 7<sup>th</sup>, 2023, the stay will be vacated, and the Order shall be entered. If an appeal is filed, absence direction from the Appellate Division, the stay will remain in place.




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Honorable Bernard E. DeLury, P.J.Cr.