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APPROVAL OF THE APPELLATE DIVISION**

This opinion shall not "constitute precedent or be binding upon any court."  
Although it is posted on the internet, this opinion is binding only on the  
parties in the case and its use in other cases is limited. R. 1:36-3.

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-2517-15T3

STATE OF NEW JERSEY,

Plaintiff-Respondent,

v.

JOSHUA M. BLOODWORTH,

Defendant-Appellant.

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Submitted December 12, 2017 - Decided January 30, 2018

Before Judges Reisner and Mayer.

On appeal from Superior Court of New Jersey,  
Law Division, Atlantic County, Indictment No.  
14-01-0179.

Joseph E. Krakora, Public Defender, attorney  
for appellant (Joshua D. Sanders, Assistant  
Deputy Public Defender, of counsel and on the  
brief).

Christopher S. Porrino, Attorney General,  
attorney for respondent (Claudia Joy Demitro,  
Deputy Attorney General, of counsel and on the  
brief).

PER CURIAM

Defendant appeals from a December 10, 2015 order of the Law Division denying his application to withdraw his guilty plea. We affirm.

Defendant pled guilty to unlawful possession of a firearm and was sentenced to five years' imprisonment with forty-two months of parole ineligibility. On September 24, 2015, defendant filed a motion to withdraw his guilty plea. Defendant argued that he was immune from prosecution on the gun charge under the amnesty provision of the Graves Act. See L. 2013, c. 117 § 2.

Judge Bernard E. DeLury, Jr. rejected defendant's arguments in a well-reasoned thirteen-page letter opinion. Judge DeLury properly applied the factors set forth in State v. Slater, 198 N.J. 145 (2009), in denying withdrawal of defendant's guilty plea. We affirm denial of defendant's motion for the reasons expressed in Judge DeLury's comprehensive written decision. We add only the following comment. Defendant's arguments on appeal are foreclosed as a result of the Supreme Court's recent decision in State v. Harper, 229 N.J. 228 (2017).<sup>1</sup> Judge DeLury's decision was both proper and prescient.

Affirmed.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION

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<sup>1</sup> The Court's decision in Harper renders moot defendant's motion to supplement the record before this court.