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**ATTORNEY FOR DEFENDANT, PAUL CANEIRO**

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STATE OF NEW JERSEY,	:	SUPERIOR COURT OF NEW JERSEY
	:	MONMOUTH COUNTY COURT
Plaintiff,	:	LAW DIVISION - CRIMINAL
	:	
v.	:	INDICTMENT NO.: 19-02-283-I
	:	PROSECUTOR FILE NO.: 18-4915
PAUL CANEIRO,	:	
	:	<b>NOTICE OF MOTION</b>
	:	<b>FOR RECONSIDERATION OF</b>
Defendant.	:	<b>A CHANGE OF VENUE</b>

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TO: AP Christopher Decker & AP Nicole Wallace  
Monmouth County Prosecutor's Office  
132 Jerseyville Avenue  
Freehold, NJ 07728

**PLEASE TAKE NOTICE** that on a date set by the Court, or as soon thereafter as counsel may be heard, Monika Mastellone, Esq., attorney for Defendant, Paul Caneiro, shall move before the Honorable Marc C. Lemieux, A.J.S.C., at the Monmouth County Superior Courthouse, 71 Monument Street, Freehold, New Jersey, for an Order granting a Change of Venue. The defendant will rely upon oral argument and the attached letter brief and exhibits in support of this Motion.

/s/ **Monika Mastellone**

Monika Mastellone, Esquire

Attorney for Defendant

Dated: August 7, 2025



## ***State of New Jersey***

### **OFFICE OF THE PUBLIC DEFENDER**

**PHIL MURPHY**

*Governor*

**TAHESHA L. WAY**

*Lt. Governor*

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**JENNIFER N. SELLITTI**

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**JOSHUA HOOD**

*Deputy Public Defender*

August 7, 2025

Honorable Marc C. Lemieux, A.J.S.C.  
Monmouth County Courthouse  
71 Monument Park, 3<sup>rd</sup> Floor  
Freehold, NJ 07728

**Re: State v. Paul Caneiro**

Case No. 18-004915 / Indictment No. 19-02-283-I

### **Motion to Change Venue - Reconsideration**

Dear Judge Lemieux:

Please accept this short letter brief in support of the defense's Motion to Reconsider its previously filed Motion to Change Venue, which was denied by this Court on April 4, 2025.<sup>1</sup> Since this Motion was decided just 4 months ago, numerous additional articles/ media items have been released – many of which focus on the defense's motions seeking to suppress evidence. In the last 4 months alone, an additional 65 articles/ posts (at a minimum)

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<sup>1</sup> The defense incorporates all legal arguments and legal authorities cited in its original brief, filed March 8, 2018 as well as all Exhibits pertaining to the original Motion. For brevity's sake, the defense need not repeat the lengthy arguments or information contained therein.

have been published in regard to this matter. This is particularly relevant in light of this Court's prior finding that, "Overall, the media attention from multiple outlets reached its peak in 2019 and has since subsided." (Ct. Op. 4/4/25 at 32). And, that "Much of the reporting on this case is concentrated in 2018 and early 2019, when the victims were first discovered deceased and when the Defendant was arrested." Id. at 39.

As it turns out, there have been at least 94 articles published via various media and social medial outlets in the past eight months – 65 of which have occurred in the last 4 months alone. Significantly, a large majority of these articles were published via the local Monmouth County media source, the Asbury Park Press. It is therefore evident that this much more recent surge of media attention, and the vast impact this attention has had on our prospective jury pool, should be considered when deciding whether to change the venue in this case. Additionally, it should be noted that the influx of inflammatory social media commentary has continued, reflecting the ongoing community hostility toward Mr. Caneiro.

It should be noted that while the defense acknowledges that much of the recent reporting is a direct result of the defense's recently filed motions, this is certainly no basis to deny the instant Motion. Whether the media attention results from the accused's exercising of his constitutional rights to challenge the evidence against him and to present/pursue a complete defense, is not a factor that is considered by the caselaw. No defendant should have to choose between pursuing a fair trial via motion practice or pursuing a fair trial via a change of venue. It would, of course, be unjust to penalize a defendant for inadvertently causing pretrial publicity while litigating viable pretrial motions.

Accordingly, the defense respectfully requests that this Court reconsider its denial of the defendant's Motion to Change Venue under the prong of 'presumed prejudice.' In the alternative, if this Court is inclined to deny the defense's motion, the defense asks that this Court reserve on its ruling until jury selection has begun, and instead consider this Motion in the context of actual prejudice. If actual prejudice is demonstrated, the defense requests that a foreign jury be impaneled, or, that the motion to change venue be granted.

Attached hereto is defense's Exhibit A, which includes a list of these articles, and Exhibit B, which contains PDF versions of these items.

Sincerely,

/s/ Monika Mastellone

Monika Mastellone, Esq. 122942014

CC: AP Chris Decker; AP Nicole Wallace