

ERIC R. SHENKUS, ESQUIRE
DEPUTY PUBLIC DEFENDER
201 S. Main Street
Cape May Court House, NJ 08210
(609) 625-9111
BY: ERIC SHENKUS, ESQUIRE
ID NO 025251996
ATTORNEY FOR DEFENDANT

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
CAPE MAY COUNTY INDICTMENT
NO 23-07-109-S

STATE OF NEW JERSEY)

Plaintiff,)

Vs)

PETER BYRON,)


Defendant.)

Criminal Action
NOTICE OF MOTION
TO COMPEL
PROSECUTION TO
REVEAL ANY
AGREEMENTS

TO: Brian Uzdavinis, Esquire
Deputy Attorney General
Office of the Attorney General
25 Market Street
Trenton, NJ 08225

PLEASE TAKE NOTICE that on a time and date set by the court, the undersigned attorney for defendant, will make application before the Honorable Bernard E. DeLury, P.J.Cr. at the Cape May County Superior Courthouse, 9 N. Main Street, Cape May Court House, New Jersey, for an Order compelling the prosecution to reveal any agreement between any government agent and any state witness.

DATED: 2/12/2024



ERIC R. SHENKUS, ESQUIRE

ERIC R. SHENKUS, ESQUIRE
DEPUTY PUBLIC DEFENDER
201 S. Main Street
Cape May Court House, NJ 08210
(609) 625-9111
BY: ERIC SHENKUS, ESQUIRE
ID NO 025251996
ATTORNEY FOR DEFENDANT

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
CAPE MAY COUNTY
INDICTMENT NO 23-07-109-S

STATE OF NEW JERSEY)

Plaintiff,)

Vs)

PETER BYRON,)

Defendant.)

Criminal Action
ORDER
TO COMPEL
PROSECUTION TO
REVEAL ANY
AGREEMENTS

This matter having come before the Court upon the application of Eric R. Shenkus, Esquire, Asst. Deputy Public Defender, attorney for defendant Peter Byron; and the Court having heard the arguments of counsel and for good cause shown;

IT IS on this _____ day of _____, 2024, ORDERED that the prosecution shall forthwith provide the following information to the defense:

- (1) All writings, recordings and photographs which relate in any way to offers, inducements or consideration made to any persons in an effort, whether successful or not, to obtain testimony in this case.
- (2) All writings recordings and photographs relating to offered "bargains," whether consummated or not, with person connected directly or indirectly with this case.
- (3) All writings, recordings and photographs relating to an offer of immunity or other special consideration made to persons directly or indirectly connected with this case.
- (4) Without limiting the generality of the foregoing, the prosecution shall disclose any bargains reached with any witness or prospective witness in this case, including but not limited to:

- a. The substance of any "deal" or understanding reached between agents or officers of the Federal or State Government and potential witnesses in this case;
- b. The date that the bargains were reached;
- c. The date on which the negotiation of such "deals" were undertaken;
- d. The proffer, if any, made by the witness as to information he could provide the Government, including the date that the proffer was made;
- e. Any debriefing notes and summaries obtained by the Government as a result of such negotiations; and
- f. The results of any polygraph examination given to witnesses, pursuant to such agreements.

(5) The prosecution shall further provide all of the same information as requested in the above paragraph regarding any deal which was discussed with, or offered, to any individual by the Government, but for whatever reason not consummated.

(6) The prosecution shall further provide the same information as ordered in paragraph 4 above with regard to any bargain reached between the Government and any person connected with this case but for some reason ultimately voided prior to trial.

It is further ordered that the duty to disclose said information shall continue throughout the course of these proceedings.

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