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LETTER PETITION FOR CERTIFICATION

SUPREME COURT OF NEW JERSEY
DOCKET NO. 091603

CIVIL ACTION

JEAN-CLAUDE WRIGHT,	:	On Petition for Certification from a
Plaintiff-Petitioner,	:	Judgment of the Superior Court of
	:	New Jersey, Appellate Division.
v.	:	Sat Below:
NEW JERSEY STATE	:	Hon. Joseph L. Marczyk, J.A.D.
PAROLE BOARD,	:	Hon. Avis Bishop-Thompson, J.A.D.
Defendant-Respondent.	:	Hon. Lisa A. Puglisi, J.A.D.

Please accept this letter brief in lieu of a formal petition for certification on behalf of plaintiff-petitioner Jean-Claude Wright. R. 2:6-2(b).

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QUESTION PRESENTED

Whether a defendant's civil immigration detention tolls the commencement of his term of mandatory parole supervision pursuant to the No Early Release Act, N.J.S.A. 2C:43-7.2c.

PROCEDURAL HISTORY AND STATEMENT OF FACTS

Jean-Claude Wright relies on the procedural history and statement of facts from his opening appellate brief and adds the following. (Pb 2-6)¹

Wright’s Term of Incarceration and Mandatory Parole Supervision

In 2010, Wright was convicted of six offenses, including first-degree robbery, N.J.S.A. 2C:15-1a. (Pa 22) Wright was sentenced to an aggregate term of eleven years in prison, with five years of mandatory parole supervision, pursuant to the No Early Release Act (NERA), N.J.S.A. 2C:43-7.2. (Pa 22-25) Under N.J.S.A. 2C:43-7.2c, NERA parole “commence[s] upon the completion of the sentence of incarceration imposed by the court[.]” There is one enumerated exception, which applies when the defendant is “serving a sentence of incarceration for another crime at the time” he completes his NERA sentence. Ibid. In that case, parole commences upon “release from incarceration.” Ibid. There is no dispute that exception does not apply here.

Wright completed his NERA sentence of incarceration and was released from state prison on November 20, 2018. (Pa 26-27) Upon release, however, Wright was civilly detained by U.S. Immigration and Customs Enforcement

¹ Ppa = Appendix to petitioner’s petition for certification
Pa = Appendix to petitioner’s opening appellate brief
Pb = Petitioner’s opening appellate brief
Prb = Petitioner’s reply appellate brief
Db = Respondent’s appellate brief

(ICE). (Pa 5) Wright remained in ICE detention until December 1, 2021. Ibid.

At some point, the Parole Board determined that Wright's term of NERA parole supervision commenced on December 1, 2021, the date he was released from ICE custody, rather than on November 20, 2018, the date he was released from state prison. (Pa 11) The Board subsequently communicated this determination to the Department of Corrections (DOC), which is responsible for calculating parole expiration dates. Ibid. The Board's finding that Wright's five-year term of NERA parole supervision did not commence until December 1, 2021, resulted in the DOC determining that Wright must remain on NERA parole until December 1, 2026. (Pa 5, 11) Had the Board instead found that Wright's term of NERA parole supervision commenced upon his release from prison, on November 20, 2018, his term of supervision would have been completed on November 20, 2023. (Pa 11)

Wright Administratively Challenges His Supervision Commencement Date

Counsel for Wright became aware of the Board's determination, and its effect on Wright's term of parole supervision, in December 2024. (Pa 9) Counsel then engaged in multiple exchanges with the Board and the DOC about Wright's parole supervision commencement date. (Pa 5-13)

On February 5, 2025, counsel received a letter from the Board confirming that it had determined that Wright's NERA parole did not

commence until he was released from ICE custody. (Pa 5) The Board explained “that the Department of Law and Public Safety - Division of Law provided legal advice to the effect that [NERA parole] supervision is to be served in the community[,]” such that its service “remains tolled” if an individual “remains in custody following the completion of a sentence imposed pursuant to N.J.S.A. 2C:43-7.2[.]” Ibid. The Board further explained that this “tolling” provision applies regardless of whether the continued custody “is criminal in nature or civil in nature” and that NERA parole only starts to run when “the offender is released to the community.” Ibid.

That same day, counsel responded to the Board by noting that “N.J.S.A. 2C:43-7.2 does not include a tolling provision relating to civil confinement” and requesting guidance on obtaining a final agency decision. (Pa 7-8) Despite previously indicating that the Board had determined the commencement date for Wright’s NERA parole term, the Board responded that any additional inquiries “must be directed” to DOC Classification Services. (Pa 7)

Counsel contacted DOC Classification Services the next day. (Pa 11-13) On February 10, counsel received a response advising that the Board “provides [the DOC] with the date [NERA parole supervision] begins” when a NERA defendant “is not immediately released into the community upon their custodial max” and that it was the Board, not the DOC, that had “reported”

when Wright's NERA parole commenced. (Pa 11) Thus, the DOC indicated that the Board, not the DOC, had to address Wright's appeal. Ibid.

Later that day, counsel advised the Board of the DOC's response and again requested that it "conclude that Mr. Wright's parole supervision should have started upon his release from prison in 2018, and . . . inform the DOC accordingly[.]" (Pa 6) Counsel emailed the Board again four days later, ibid., and submitted a letter seeking a final agency decision on February 21. (Pa 2-4)

On April 2, the Board issued a final agency decision declining to amend Wright's NERA parole commencement date. (Pa 1) The Board explained that it "declined to consider the merits" because it had "no jurisdiction" over the matter. Ibid. More specifically, the Board noted that "the Department of Corrections, not the State Parole Board, is responsible for computing . . . the expiration date of any term of supervision" and that Wright therefore had to "direct [his] concerns . . . to the Department of Corrections." Ibid. The Board made this determination even though it otherwise acknowledged that Wright was challenging his parole "commencement date" and without addressing the appended communications establishing that the Board, not the DOC, was responsible for determining that commencement date. (Pa 1-13)

Wright Appeals and The Appellate Division Remands

Wright filed a notice of appeal on April 4, 2025. (Pa 15-17) On June 9,

the Appellate Division accelerated the appeal on Wright's motion. (Pa 18)

In his opening brief, Wright argued that the Board had jurisdiction and that the plain language of NERA indicated that his NERA parole commenced when he completed his term of incarceration in 2018. (Pb 7-15) In response, the Board disclaimed jurisdiction (Db 8-10), while also arguing that "the period that Wright spent in custody on the ICE detainer tolled the [NERA parole] term[.]" (Db 19) Central to the Board's argument on the merits were its assertions that NERA parole only commences "upon release from incarceration" and that it must be served "in the community" under N.J.S.A. 2C:43-7.2c. (Db 11) In his reply brief, Wright, again explained that his NERA parole commencement was tied to the completion of his sentence, which all agreed occurred in 2018, and added that N.J.S.A. 2C:43-7.2c's discussion of the defendant being in "the community" solely relates to the defendant's legal status during his term of supervision, and not the commencement of the term of supervision, contrary to the Board's arguments. (Prb 1-13)

Oral argument was held before a three-judge appellate panel on October 9, 2025. (Ppa 12) At argument, the Board conceded that it had jurisdiction to address the appeal "and consented to a remand for consideration on the merits[.]" despite having already briefed the merits. (Ppa 18) Wright "objected to a remand and urged [the court] to decide the substantive issue based on the

alternative substantive arguments made in the Board’s merits briefs.” Ibid.

On October 29, the appellate panel issued an unpublished opinion holding that the Board had jurisdiction and remanding “to afford the Board the opportunity to consider Wright’s appeal on the merits.” (Ppa 12, 18) The court gave the Board forty-five days to file a new decision. (Ppa 18)

The Remand and Published Opinion

About a month later, the Board issued a new decision denying Wright’s appeal. (Ppa 19) The Board’s decision mirrored its earlier appellate brief, concluding that NERA parole “only commences upon the date the offender is actually released from confinement and into the community” based on its belief that NERA parole only commences “upon release from incarceration” and N.J.S.A. 2C:43-7.2c’s language about NERA parolees remaining “in release status in the community[.]” (Ppa 20-21)

On January 14, 2026, the Appellate Division issued a published opinion, authored by the Honorable Lisa A. Puglisi, J.A.D, affirming the Board’s decision. (Ppa 1-2) The court, like the Board, noted that NERA parole commences upon a defendant’s release from incarceration,² while also

² As discussed in more detail below, the court, like the Board, failed to recognize that Wright’s NERA parole commenced “upon the completion of [his] sentence of incarceration[.]” not upon his “release from incarceration[.]” because he was not “serving a sentence of incarceration for another crime[.]” N.J.S.A. 2C:43-7.2c.

emphasizing the statute’s language about defendants remaining “in release status in the community[.]” (Ppa 6) Apparently viewing the “in the community” sentence as affecting the commencement of NERA parole, and not just the defendant’s legal status, as Wright had argued, the court then went on to find that these statutory provisions were in “tension” when a defendant, like Wright, is “released from incarceration but [is] not in the community.” Ibid. This “ambiguity,” according to the court, allowed it to look beyond the plain text of the statute to discern the statute’s legislative intent. Ibid.

In doing so, the court acknowledged the public-safety goals of NERA parole and did not dispute that this purpose could be served without tolling NERA parole during civil immigration detention. (Ppa 6-8) Yet the court went on to state that “the ultimate purpose of parole is to help [offenders] reintegrate into society[.]” and that this goal would be frustrated, (Ppa 8) (first alteration in original) (quoting J.I. v. N.J. State Parole Bd., 228 N.J. 204, 221 (2017)), absent tolling, because “[a]n offender in ICE custody” is not in the “community” and cannot be “supervised by the [Board] as if on parole[.]” Ibid. (first alteration in original) (quoting N.J.S.A. 2C:43-7.2c). The court also stated that failing to toll NERA parole during civil immigration detention “renders . . . meaningless” the statute’s language about NERA parolees being “in the community.” (Ppa 8) In doing so, the court did not address Wright’s

argument that this language merely defines the parolee's legal status, rather than determining when NERA parole commences, or his argument that adopting the Board's position would render the actual timing provisions of the NERA parole statute superfluous. (Pb 11-12; Prb 3-5)

On January 14, 2026, Wright filed a Notice of Petition for Certification with this Court. (Ppa 23) On January 15, he filed a motion to accelerate.

LEGAL ARGUMENT

POINT I

CERTIFICATION IS NEEDED BECAUSE WHETHER NERA PAROLE IS TOLLED BY CIVIL IMMIGRATION DETENTION IS AN IMPORTANT BUT UNRESOLVED QUESTION, WHICH THE PUBLISHED APPELLATE OPINION SERIOUSLY ERRED IN RESOLVING.

The question presented in this case is whether the Legislature intended the commencement of a defendant's term of mandatory parole supervision pursuant to the No Early Release Act (NERA) to be tolled or delayed when the defendant is released from state prison into civil immigration detention. This straightforward question of statutory interpretation has not been addressed by this Court and is significant not only to Jean-Claude Wright, but to the public at large. The Appellate Division's published opinion finding that NERA parole is tolled by civil immigration detention, moreover, is flawed in multiple respects: it misstates the relevant law, ignores binding precedent, and

ultimately rewrites the plain language of N.J.S.A. 2C:43-7.2c. Given the novel and important nature of the question presented, as well as the Appellate Division's troubling and precedential resolution of that question, this Court should grant certification and reverse.

To start, certification should be granted because this case “presents a question of general public importance which has not been but should be settled by the Supreme Court[.]” R. 2:12-4. When and how NERA parole commences is a significant issue that affects the custodial status and criminal sentences of countless individuals. As this Court has repeatedly observed, parole is “the legal equivalent of imprisonment[.]” State v. Rosado, 131 N.J. 423, 428 (1993), and constitutes “punishment.” State v. Njango, 247 N.J. 533, 547 (2021) (citing Riley v. State Parole Bd., 219 N.J. 270, 288 (2014)). Indeed, defendants remain in the legal custody of the DOC while on parole, N.J.S.A. 2C:43-7.2c; N.J.S.A. 30:123.59a, and parole, like imprisonment, is part of the overall custodial sentence imposed. N.J.S.A. 30:4-123.65.

Defendants on parole face reduced expectations of privacy and must comply with numerous conditions imposed by the Board. See N.J.A.C. 10A:71-6.4a (requiring parolees to, among other things, “[s]ubmit to drug or alcohol testing[.]” notify the Board of any changes in employment or housing, and “[s]ubmit” to warrantless searches). And a defendant who violates the

conditions of his parole faces not only the possibility of additional parole requirements, N.J.A.C. 10A:72-2.4b, but may lose commutation credit, N.J.S.A. 30:4-123.60a(2), and may be required to continue serving his sentence in prison, rather than on parole. N.J.S.A. 30:4-123.60b. These consequences and punishments, while applicable to all parolees, are particularly pronounced for defendants serving a term of NERA parole.

NERA was enacted to protect the public and to “increase prison time” for certain offenders. State v. Friedman, 209 N.J.102, 119 (2012) (quoting S. Law & Pub. Safety Comm., Statement to S. No. 855 (Apr. 24, 1996)). To that end, NERA requires that individuals convicted of certain offenses serve eighty-five percent of their sentence before being eligible for parole. N.J.S.A. 2C:43-7.2a. This provision substantially increases the period of parole ineligibility, which is ordinarily set at one-third of the sentence, N.J.S.A. 30:4-123.51a, and effectively negates the possibility of parole hearings or normal parole supervision due the accumulation of commutation and work credit. State v. Freudenberger, 358 N.J. Super. 162, 169 (App. Div. 2003).

To address this fact, the Legislature created extra terms of parole supervision, of three or five years, for NERA defendants. Friedman, 209 N.J. at 119-20; N.J.S.A. 2C:43-7.2c. These extra periods of parole only commence after the defendant completes his “sentence of incarceration[,]” N.J.S.A.

2C:43-7.2c, thus extending his overall time in custody and increasing his punishment, Njango, 247 N.J. at 547-48, in a way that is “radically different” from non-NERA parole. Freudenberger, 358 N.J. Super. at 168-69. Indeed, a defendant on NERA parole is not only subject to the “penal impact” of extended supervision but faces the “harsh” consequence of “additional incarceration” beyond “the original sentence imposed” if he violates parole. Njango, 247 N.J. at 547 (quoting State v. Johnson, 182 N.J. 232, 240 (2005)).

The fact that this case presents unresolved questions about when NERA parole commences on its own calls for this Court’s review. As noted, terms of NERA parole significantly extend a defendant’s time in custody and his punishment, making it essential that such terms are properly calculated and commenced. Indeed, this Court has in recent years provided related guidance on this topic, making clear that excess time on NERA parole violates a defendant’s constitutional right to fundamental fairness. Id. at 547-51. This case shows that additional guidance is needed on this significant topic.

That is especially the case, moreover, given the specific question presented of whether NERA parole is tolled by civil immigration detention. Over the past year, the federal government has ramped up immigration enforcement, resulting in “unprecedented” numbers of individuals being held in civil immigration detention. See More People Are in Immigration Detention

Than Ever Before, Vera Institute of Justice (Oct. 2, 2025), <https://www.vera.org/news/more-people-are-in-immigration-detention-than-ever-before>. And this enforcement is likely to have a disproportionate effect in New Jersey, which has the second-highest rate of immigrants in the country, with non-native residents accounting for nearly a quarter of the population. 50 States: Immigrants by Number and Share, Immigration Research Initiative (Jan. 24, 2025), <https://immresearch.org/publications/50-states-immigrants-by-number-and-share/>. The question in this case is therefore not just of public importance because of the significance of NERA parole in general and because of its unresolved nature, but because we are seeing, and will likely continue to see, increasing numbers of our large immigrant population being subjected to civil immigration detention, including after they complete terms of NERA incarceration.

Beyond the importance of the question presented, certification is also warranted because the Appellate Division's precedential opinion conflicts with established law and rewrites N.J.S.A. 2C:43-7.2c. R. 2:12-4. Determining when NERA parole commences is a question of statutory interpretation, the goal of which is to determine the Legislature's intent. Williams v. New Jersey State Parole Board, 255 N.J. 36, 46 (2023) (citation omitted). Generally, "the best indicator of that intent is the statutory language." Ibid. (quoting

DiProspero v. Penn, 183 N.J. 477, 492 (2005)). “It is not the function of [the courts] to ‘rewrite a plainly-written enactment of the Legislature []or presume that the Legislature intended something other than that expressed by way of the plain language.’” DiProspero, 183 N.J. at 492 (second alteration in original) (quoting O’Connell v. State, 171 N.J. 484, 488 (2002)). Courts must also “strive for an interpretation that gives effect to all of the statutory provisions and does not render any language inoperative, superfluous, void or insignificant.” G.S. v. Dep’t of Human Servs., 157 N.J. 161, 172 (1999) (citation omitted).

As noted, N.J.S.A. 2C:43-7.2c states that a defendant’s term of NERA parole “shall commence upon the completion of the sentence of incarceration” unless they are serving a term of incarceration for another crime, in which case NERA parole commences upon their “release from incarceration.” The statute does not include any other tolling provisions, and Wright was not serving another term of incarceration. Basic principles of statutory interpretation therefore demonstrate that his term of NERA parole commenced when he completed his term of incarceration. And all agree, including the Board and the Appellate Division, that Wright completed his term of incarceration on November 20, 2018, the date he completed his sentence as a matter of law, and when he was released from state prison. See (Ppa 3) (Appellate Division

noting Wright “completed his maximum term of incarceration” on November 20, 2018); (Db 3) (Board noting “Wright completed his maximum term of incarceration” on November 20, 2018) Straightforward application of N.J.S.A. 2C:43-7.2c thus shows that Wright’s term of NERA parole commenced on November 20, 2018, and that it was not tolled by his later civil detention.

In holding to the contrary, the Appellate Court made a series of mistakes that not only led to the wrong outcome but, given its precedential nature, will cause harm and confusion in future cases. First, the court erred in stating that NERA parole always commences “upon the defendant’s release from incarceration[.]” (Ppa 6) As discussed, this was mistaken because NERA parole typically commences “upon the completion of the sentence of incarceration” and is only tied to the defendant’s release when he “is serving a sentence of incarceration for another crime at the time [he] completes the sentence of incarceration” for his NERA offense. N.J.S.A. 2C:43-7.2c. The court’s opinion thus relied on a clear misstatement of law and, as a result, failed to recognize that Wright’s term of parole supervision commenced upon the completion of his sentence of incarceration and not his release from prison.

This error is not simply a matter of semantics. Although completion of a term of incarceration and release from incarceration “are related, for the latter cannot begin until the former expires[.]” they involve very different concepts

and “are not interchangeable.” State v. Johnson, 529 U.S. 53, 58-59 (2000). While a defendant is released from incarceration “on the day [he] is in fact freed from confinement[,],” he completes his “sentence of incarceration” whenever he finishes “his lawful sentences.” Ibid. The completion of a sentence of incarceration, unlike the release from incarceration, thus is not related to the defendant’s physical status and can occur even when he remains incarcerated, as no one disputes. See N.J.S.A. 2C:43-7.2c (addressing situation where defendant “completes the [NERA] sentence of incarceration” while still imprisoned for “a sentence of incarceration for another crime”); Njango, 247 N.J. at 543 (addressing remedy for defendant who was “imprisoned beyond the term of incarceration”); (Db 18) (Board noting Wright “remained confined” “following the expiration of his custodial term”); (Ppa 5) (panel noting Wright remained in custody after he “completed his maximum term of incarceration”)

That the Legislature tied the commencement of NERA parole to the completion of the defendant’s sentence of incarceration is significant because it provides additional evidence that NERA parole commences when a defendant legally completes his sentence, regardless of when he is in fact released. If the Legislature wanted NERA parole to always commence when a defendant was released from incarceration it could have said so, as it did for defendants serving terms of incarceration for other crimes. N.J.S.A. 2C:43-

7.2c; see also 18 U.S.C. § 3624e (stating federal supervised release “commences on the day the person is released from imprisonment”). And if it wanted to tie NERA parole more broadly to the defendant’s presence in the community, it likewise could have included such language. That the Legislature did not use such language and instead tied NERA parole to the completion of the term of incarceration further shows that NERA parole is not tolled by civil detention. The appellate court erred in failing to recognize that fact, as well as in suggesting that NERA parole is always tied to incarceration.

Also erroneous was the court’s conclusion that the third sentence of N.J.S.A. 2C:43-7.2c, which indicates that NERA parolees “shall remain in release status in the community in the legal custody of the Commissioner of the Department of Corrections and shall be supervised by the State Parole Board[,]” affects the commencement of NERA parole, such as to create “ambiguity” in the statute. (Ppa 6) Contrary to this conclusion, this sentence does not relate to when NERA parole commences. It is not part of the second sentence, which explicitly outlines when NERA parole commences. And it does not employ similar language to indicate that it controls when NERA parole commences, let alone that it creates an additional tolling exception.

Rather, this sentence relates to the defendant’s legal status. That is, that they “remain in release status in the community in the legal custody of” the

DOC while “supervised by” the Board “as if on parole[.]” N.J.S.A. 2C:43-7.2c; see also N.J.S.A. 30:4-123.51b(a) (explaining NERA parolees “remain on release status in the community” and that the Board may “revoke the person’s release status”); Hobson v. New Jersey State Parole Bd., 435 N.J. Super. 377, 382 (App. Div. 2014) (explaining protections for people on NERA parole “facing revocation of release status”). Indeed, the Board appears to have recognized this reality. See (Db 11) (noting language “specifies that the defendant’s status is one of ‘release status in the community’”). And the statute itself is explicit that it only relates to the defendant’s status “during the term of supervision[.]” such that it has no application before the term starts. N.J.S.A. 2C:43-7.2c (emphasis added). The sentence, by its own terms, thus relates to the defendant’s legal custody during NERA parole, and not the commencement of parole, and the court clearly erred in finding otherwise.

Beyond that, construing this sentence to control NERA parole’s commencement, as the appellate court did, renders superfluous the entire second sentence, which explicitly deals with NERA parole commencement. Simply put, there would have been no need for the Legislature to state that NERA parole commences “upon the completion of the sentence of incarceration” if the defendant’s physical presence in the community was the actual controlling event. N.J.S.A. 2C:43-7.2c. And there would have been no

reason to create a tolling provision for people serving other terms of incarceration, in which case parole starts upon “release from incarceration[.]” if their parole was already tolled until their release into “the community[.]” Ibid. The court’s interpretation thus not only departs from the plain text of the statute but rewrites the third sentence to control the parole commencement, thereby rendering the actual commencement sentence wholly meaningless.

Finally, the court erred in finding that tolling NERA parole during civil detention is necessary to serve the rehabilitative purposes of NERA parole. (Ppa 8) To start, the court overlooked that NERA parolees in civil detention would be “subject to conditions” of parole (Ppa 8), just like any other parolee, N.J.A.C. 10A:71-6.4a, and could be supervised as is deemed “appropriate” by the Board, N.J.A.C. 10A:72-2.2, including through telephonic or remote check-ins. N.J.A.C. 10A:71-6.4a. Such parolees would also face the same serious consequences for failing to comply with parole as any other NERA parolee, including possible reincarceration “not only for the balance of the original custodial term, but for the remaining length of the parole supervisory period.” Friedman, 209 N.J. at 116. The court therefore erred in finding that tolling NERA parole during civil detention is necessary to enable rehabilitation and supervision. (Ppa 8-9); see also United States v. Garcia-Rodriguez, 640 F.3d 129, 133-34 (5th Cir. 2011) (holding federal supervised release is not

tolled by civil immigration despite its rehabilitative purposes while also noting that probation could conduct “inactive” supervision during such detention).

Even more fundamentally, however, the court erred in finding that NERA parole is primarily rehabilitative. (Ppa 8) As already discussed, NERA parole is “punishment” “akin to imprisonment[,]” Njango, 247 N.J. at 544, which is primarily meant “to protect the public.” Friedman, 209 N.J. at 120. This public-safety goal, as this Court has already held, is equally “satisfied” by continued incarceration. Njango, 247 N.J. at 550. Thus, the court not only misstated basic facts in concluding that NERA parolees cannot be supervised while in civil detention but overlooked that the actual purpose of NERA parole is the protection of the public, which can be equally served by civil detention.

In sum, this case calls for this Court’s review because it presents important and unresolved questions concerning the commencement of NERA parole supervision, particularly when it comes to defendants placed in civil immigration detention. And it warrants review because the Appellate Division’s published opinion is rife with errors³ that will mislead future litigants, violates basic tenets of statutory interpretation, and rewrites the

³ Along with the errors already discussed, the court also erroneously stated that NERA parole “may not be reduced by credits” (Ppa 8) (citation omitted), even though NERA parole can be reduced by both prior-service credit, Njango, 247 N.J. at 550-51, and public-health emergency credit. N.J.S.A. 30:4-123.55f(a).

NERA statute in a way that will lead to Wright, and many others, serving improperly extended terms of custody in violation of their constitutional rights. This Court should therefore grant certification and reverse the appellate opinion. Wright will seek to file a supplemental brief if certification is granted.

CONCLUSION

For the reasons stated above and his appellate briefs, it is respectfully urged that this Court grant Wright's petition for certification.

Respectfully submitted,

JENNIFER N. SELLITTI
Public Defender
Attorney for Defendant-Appellant

BY:



CODY T. MASON
Deputy Public Defender II
Attorney ID No. 150312015

CERTIFICATION

I certify that this petition is being filed in good faith, presents a substantial question, and is not filed for the purpose of delay.

Dated: January 22, 2026



CODY T. MASON