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JENNIFER N. SELLITTI
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July 5, 2024

Honorable Chief Justice
and Associate Justices of
The Supreme Court of New Jersey
P.O. Box 970
Trenton, New Jersey 08625

Re: State v. Jason Edwards
Docket No. 089574
App. Div. Dkt. No. A-0860-23T5

LETTER IN LIEU OF FORMAL PETITION FOR CERTIFICATION

Your Honors:

This letter is submitted in lieu of a formal brief seeking certification to review the Appellate Division's June 5, 2024 Order, affirming his sentence. (Pa 1)¹ A timely notice of petition for certification was previously filed. (Pa 2)

Edwards challenged his sentence in the Appellate Division as part of the June 3, Sentencing Oral Argument (SOA) Calendar. This petition relies on the argument and supporting materials presented at the SOA, including the

¹ "Pa" refers to the appendix to this petition.

memorandum supplied to the Appellate Division in advance of the argument and referred to during the argument. (Pa 3-17)

This cases raises the following issue of first impression:

Whether jail credit must be awarded for time spent pretrial on Strict Home Detention with 24/7 GPS Bracelet Monitoring by the Hudson County Department of Corrections?

Mr. Edwards asserts that the Appellate Division erred in affirming the trial court's finding that it does not, because Strict Home Detention with 24/7 GPS Bracelet Monitoring by the Hudson County Department of Corrections is sufficiently custodial to warrant jail credit against a custodial sentence. Alternatively, the Appellate Division should have remanded the matter for a fuller record to be established regarding the precise terms and conditions of 24/7 GPS Bracelet Monitoring by the Hudson County Department of Corrections.

Respectfully submitted,

JENNIFER N. SELLITTI
Public Defender
Attorney for Defendant-Petitioner

BY: S/ Alyssa Aiello

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cc: Stephanie Davis-Elson, Assistant Prosecutor
Hudson County Prosecutor's Office

CERTIFICATION

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

S/ Alyssa Aiello

ALYSSA AIELLO

Assistant Deputy Public Defender

DATED: July 5, 2024