

SUPREME COURT OF NEW JERSEY  
A-32 September Term 2024  
090121

State of New Jersey,  
Plaintiff-Respondent,

v.

O R D E R

Tyrell S. Lansing,  
Defendant-Appellant.

This matter having been duly considered, and the Court having heard oral argument and further evaluated the broad issues the appeal raises;

It is ORDERED that the order granting the motion for leave to appeal is vacated, and the appeal is dismissed. The Court simultaneously requests that the Criminal Practice Committee examine and make recommendations relating to Rule 1:2-1(b), notwithstanding the opinion at State v. Lansing, 479 N.J. Super. 565 (App. Div. 2024). The referral letter is attached.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this 8th day of December, 2025.



CLERK OF THE SUPREME COURT



# Supreme Court of New Jersey

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December 8, 2025

Assignment Judge Benjamin C. Telsey  
Chair  
Criminal Practice Committee  
*Via email*

## Re: Supreme Court Referral of Rule 1:2-1(b) in Criminal Matters

Dear Judge Telsey,

I write to convey the Supreme Court's request that the Criminal Practice Committee examine and make recommendations relating to the application of Rule 1:2-1(b) in criminal matters, notwithstanding the opinion at State v. Lansing, 479 N.J. Super. 565 (App. Div. 2024). In particular, the Court asks the Committee to consider whether, and to what extent, remote testimony should be allowed in criminal proceedings.

In that context, it would be helpful if the Committee's broad array of stakeholders evaluated and recommended whether remote testimony in criminal cases should be allowed

- in pretrial hearings (and, if so, should it be limited to Olenowski hearings or permitted more generally in pretrial hearings);
- in trial proceedings;
- for expert witnesses;
- for fact witnesses;
- only under circumstances that can apply to both the prosecution and defense; and/or
- upon consent of all parties, subject to court approval.



In addition to those questions, the Committee may examine other considerations related to Rule 1:2-1(b)'s potential application in criminal matters, including the nature of any appropriate safeguards. In examining these issues, the Committee is not bound by the terms of State v. Lansing, 479 N.J. Super. 565 (App. Div. 2024).

The Court asks that Your Honor, as Chair of the Criminal Practice Committee, invite representatives from the Civil, Family, and Municipal Practice Committees to participate and share their perspectives as part of the Criminal Practice Committee's process. Thank you in advance for the Committee's work on this inquiry.

With appreciation,



Heather Joy Baker

Clerk of Court

Cc: Chief Justice Stuart Rabner  
Acting Administrative Director Michael J. Blee, J.A.D.  
Steven D. Bonville, Chief of Staff  
Luanh L. D'Mello, Staff to the Committee