

SUPERIOR COURT OF N.J.

FILED

FEB 19 2004

DONALD F. PHELAN
CLERK

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CRIMINAL

State Grand Jury

Number SGJ 489-04-8

Superior Court 04-02-00024-S
Docket Number

STATE OF NEW JERSEY)

INDICTMENT

v.)

KIRBY L. GREEN)

The Grand Jurors of and for the State of New Jersey, upon their oaths, present that:

COUNT ONE

(Theft by Deception-Third Degree)

KIRBY L. GREEN

between on or about August 2, 1997 and on or about December 4, 1999, at the Township of Irvington, in the County of Essex, elsewhere, and within the jurisdiction of this Court, purposely did obtain by deception the property of the State of New Jersey, valued in excess of \$500; that is, the said KIRBY L. GREEN did purposely obtain unemployment insurance benefits in the amount of \$16,878 by submitting or causing to be submitted documents for unemployment insurance benefits of the State of New Jersey, thereby creating or reinforcing false impressions to the State of New Jersey that the said KIRBY L. GREEN was unemployed;

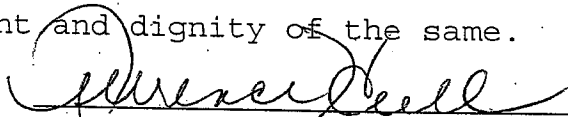
WHEREAS IN TRUTH AND IN FACT, as the said KIRBY L. GREEN then and there well knew, he was employed, all contrary to the provisions of N.J.S.A. 2C:20-4, and against the peace of this State, the government and dignity of the same.

COUNT TWO

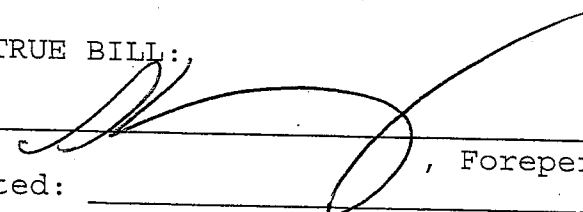
(Unsworn Falsification to Authorities-Fourth Degree)

KIRBY L. GREEN

on or about September 21, 1999 at the Township of Irvington, in the County of Essex, elsewhere, and within the jurisdiction of this Court, knowingly did make a written false statement which he did not believe to be true on or pursuant to a form bearing notice, authorized by law, to the effect that false statements made therein are punishable; that is, the said KIRBY L. GREEN did make and submit or cause to be submitted Unemployment Insurance Benefit check number 19946947 dated September 17, 1999, containing a false statement that the said KIRBY L. GREEN did report all holiday or vacation pay and otherwise met all eligibility requirements to receive unemployment insurance benefits for the weeks ending September 4 and September 21, 1999, respectively, and said form bearing notice, authorized by law, to the effect that false statements made therein are punishable, contrary to the provisions of N.J.S.A. 2C:28-3a, and against the peace of this State, the government and dignity of the same.


Terrence Hull, Chief
Financial Crimes Bureau

A TRUE BILL:



Dated: _____, Foreperson

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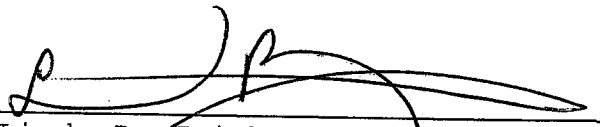
ORDER OF VENUE

KIRBY L. GREEN)

An Indictment having been returned to this Court by the State Grand Jury in the above captioned matter,

IT IS ORDERED on this 19th day of February, 2004, pursuant to paragraph 8 of the State Grand Jury Act, that the County of Essex be and hereby is designated as the County of venue for the purpose of trial.

IT IS FURTHER ORDERED that the Clerk of the Superior Court shall transmit forthwith the Indictment in this matter and a certified copy of this Order to the Criminal Division Manager of the County of Essex for filing.


Linda R. Feinberg, A.J.S.C.