

James F. Kellinger  
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October 23, 2013

**Hand delivered**

Superior Court of New Jersey  
Appellate Division  
Hughes Justice Complex  
25 West Market Street  
Trenton, N.J. 08625

Attn: Clerk's Office

Re: State v. Scharf . A-1580-11T4

Dear Sir/Madam:

Enclosed please find an original and four (4) copies of a Notice of Motion for Amicus Curiae Status and supporting documents, on behalf of myself as an individual.

Thank you for your attention to this matter.

Very truly yours,

  
James F. Kellinger

.enclosures

cc:

Catherine A. Fodai Esq., Bergen County Prosecutor  
Teresa Blair Esq., N.J. State Attorney General  
Stephen W. Kirsch Esq., Office of the Public Defender

James F. Kellinger  
660 Paliade Avenue 404  
Cliffside Park, N.J. 07024  
(201) 943-0983  
*amicus curiae pro se*

Superior Court of New Jersey  
Appellate Division  
Docket No. A-1580-11T4

**CRIMINAL ACTION**

STATE OF NEW JERSEY  
Plaintiff-Respondent

v.

Stephen Scharf,  
Defendant-Appellant

On Appeal from Judgement of  
Conviction of the Superior Court of  
New Jersey, Law Division, Bergen  
County

Sat Below:

Honorable Patrick J. Roma, J.S.C.  
And a Jury

**NOTICE OF MOTION  
FOR LEAVE TO APPEAR  
AMICUS CURIAE**

To: Clerk of the Appellate Division  
Superior Court of New Jersey  
Hughes Justice Complex  
Trenton, New Jersey 08625

PLEASE TAKE NOTICE that the undersigned hereby moves before the Superior Court  
of New Jersey, Appellate Division, for an Order granting leave to appear as *amicus*

*curiae*. In support of the aforesaid motion, the moving party will rely on the annexed Certification of James F. Kellinger and the Brief submitted simultaneously herewith.

  
James F. Kellinger  
*pro se*

Dated: October 23, 13

James F. Kellinger  
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Cliffside Park, N.J. 07024  
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*amicus curiae pro se*

Superior Court of New Jersey  
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Docket No. A-1580-11T4

**CRIMINAL ACTION**

STATE OF NEW JERSEY  
Plaintiff-Respondent

v.

Stephen Scharf,  
Defendant-Appellant

On Appeal from Judgment of Conviction  
of the Superior Court of New Jersey, Law  
Division, Bergen County

Sat Below:

Honorable Patrick J. Roma, J.S.C.  
And a Jury

**CERTIFICATION**

OF JAMES F. KELLINGER IN  
SUPPORT OF APPLICATION FOR  
*AMICUS CURIAE* STATUS

James F. Kellinger, of full age, hereby certifies in lieu of a more formal oath as follows:

- 1) I am a resident of New Jersey, Bergen County.
- 2) I was awarded a bachelor's degree in physics from Rutgers University-  
Newark, in 2003.
- 3) I am not associated or acquainted with the defendant, Stephen Scharf.

- 4) I contacted the defendant, Stephen Scharf by mail on April 21, 2013 seeking information about the case.
- 5) I am not associated or acquainted with any member of the defendant's family.
- 6) I am not associated or acquainted with any witness in the case.
- 7) I am not associated or acquainted with any attorney or court personnel in the trial.
- 8) I contacted Helen C. Godby, Assistant Deputy Public Defender, for information regarding the appeal.
- 9) I have born the cost of involvement as *amicus curiae* myself, and no other person or entity has contributed to same.
- 10) Having reviewed the lower court's decisions, I have elected, as an individual, to seek leave to appear as *amicus curiae* in this appeal.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
James F. Kellinger

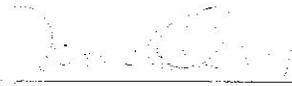
Dated: Oct 23/13

CERTIFICATION OF FILING AND SERVICE

I hereby certify that in accordance with R2:8-1(b), the original and four (4) copies of the within Notice of Motion, together with the Certification of James F.Kellinger, and supporting brief and appendix, were hand delivered on October 23, 2013 to the Superior Court of New Jersey, Appellate Division, for filing.

I further certify that two (2) true copies of the aforementioned documents were hand delivered on October 23, 2013 to all counsel of record.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

  
\_\_\_\_\_  
James F. Kellinger

Dated: October 23, 2013