



A.P. Foddai

CHRIS CHRISTIE  
Governor

State of New Jersey  
OFFICE OF THE PUBLIC DEFENDER

JOSEPH E. KRAKORA  
Public Defender

KIM GUADAGNO  
Lt. Governor

Appellate Section  
MATTHEW ASTORE  
Acting Deputy Public Defender  
31 Clinton Street, 9<sup>th</sup> Floor, P.O. Box 46003  
Newark, New Jersey 07101  
Tel. 973.877.1200 • Fax 973.877.1239  
TheDefenders@OPD.STATE.NJ.US

December 21, 2011

Joseph H. Orlando, Clerk  
Superior Court of New Jersey  
Appellate Division  
P.O. Box 006  
Trenton, New Jersey 08625

RECEIVED  
BERGEN COUNTY  
PROSECUTOR'S OFFICE  
2011 DEC 23 P 1:00

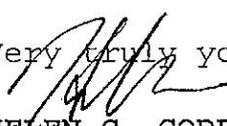
RE: State v. Stephen F. Scharf  
Ind. No(s). 09-08-1485

Dear Mr. Orlando:

Pursuant to Rule 2:5-1(a), we enclose an original and copy of a Notice of Appeal in this matter. Please file the original and send us the copy stamped "True Copy" with the filing date for our appendix.

The State has been served, pursuant to Court Rule, as evidenced by the accompanying Certification of Service.

Very truly yours,

  
HELEN C. GODBY  
Assistant Deputy Public Defender  
Intake Unit

HCG/rng  
Enclosures

cc: Hon. Patrick Roma, J.S.C.  
Bergen County Prosecutor  
Bergen County Criminal Case Management  
Office of the Attorney General

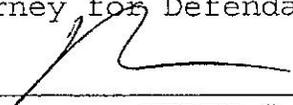
JOSEPH E. KRAKORA  
Public Defender  
Office of the Public Defender  
Appellate Section  
31 Clinton Street, 9th Floor  
P.O. Box 46003  
Newark, New Jersey 07101  
(973) 877-1200

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
IND. NO(S). 09-08-1485

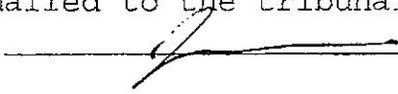
STATE OF NEW JERSEY, : CRIMINAL ACTION  
  
Plaintiff-Respondent, : NOTICE OF APPEAL  
  
v. :  
  
STEPHEN F. SCHARF, :  
  
Defendant-Appellant. :

.....  
PLEASE TAKE NOTICE that the defendant, Stephen F. Scharf,  
confined at New Jersey State Prison, appeals to this Court from the  
final judgment of conviction of murder entered on October 28, 2011 in  
which a sentence of Life with 30 year parole disqualifier, was  
imposed in the Superior Court, Law Division, Bergen County, by the  
Honorable Patrick Roma, J.S.C.

JOSEPH E. KRAKORA  
Public Defender  
Attorney for Defendant-Appellant

BY:   
HELEN C. GODBY  
Assistant Deputy Public Defender  
Intake Unit

The undersigned certifies that the requirements of R. 2:5-3(a) have  
been complied with by ordering the transcript(s) on December 21, 2011  
indicated on the accompanying transcript request form(s) and that a  
copy of this Notice has been mailed to the tribunal designated above.



JOSEPH E. KRAKORA  
Public Defender  
Office of the Public Defender  
Appellate Section  
31 Clinton Street, 9th Floor  
P.O. Box 46003  
Newark, New Jersey 07101  
(973) 877-1200

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
IND.NO(S). 09-08-1485

STATE OF NEW JERSEY, : CRIMINAL ACTION  
  
Plaintiff-Respondent, : CERTIFICATION  
  
v. :  
  
STEPHEN F. SCHARF, :  
  
Defendant-Appellant. :

.....

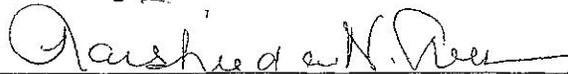
RAISHIEDA N. GREEN, of full age, hereby certifies that:

1. I am a legal secretary in the Office of the Public Defender, Appellate Section, 31 Clinton Street, 9th Floor, P.O. Box 46003, Newark, New Jersey, 07101.

2. On the 21st day of December, 2011, at the direction of HELEN C. GODBY, ASSISTANT DEPUTY PUBLIC DEFENDER, I served by Regular Mail one copy of the Notice of Appeal on the Bergen County Prosecutor's Office, Bergen County Justice Center, 10 Main Street, Hackensack, New Jersey 07601, and same on the Office of the Attorney General, Division of Criminal Justice, P.O. Box 086, Trenton, NJ, 08625.

3. 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.

DATE: December 21, 2011

  
RAISHIEDA N. GREEN

**TRANSCRIPT ORDER FORM**  
State of New Jersey (R. 2:5-3(a))

R.O. #1004 700526

Original Request December 21, 2011  
Amended Request \_\_\_\_\_  
Second Request \_\_\_\_\_  
Third Request \_\_\_\_\_  
Cancellation \_\_\_\_\_

**FROM:**  
Office of the Public Defender  
Appellate Section, 9th Floor  
31 Clinton Street, Box 46003  
Newark, New Jersey 07101  
(973) 877-1200

**STATE OF NEW JERSEY**

v.

**STEPHEN F. SCHARF**

County:  
Bergen County

Indictment Number 09-08-1485  
Docket Number

TO: (Name, Address (Court Reporter or Court Clerk, if sound recorded) PLEASE DIRECT ANY INQUIRIES REGARDING THIS TRANSCRIPT TO:

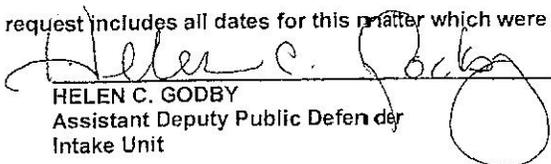
Vikiha Stacker  
Bergen County Courthouse  
10 Main Street-Rm 104  
Hackensack, New Jersey 07601

**STEPHEN MARTINEZ**  
Office of the Public Defender  
Appellate Section, Intake Unit, Paralegal

You are requested to prepare an original and one copy of a transcript for use on appeal of the following proceedings. Included in this order are all openings, closings, motions, tapes played and arguments of counsel. Any in-camera proceedings should be transcribed and submitted to the Clerk of the Appellate Division with notice of its completion to the Office of the Public Defender, Appellate Section. Please advise this office immediately if a prior transcript order has been received for the same material, and, if so, its source. PLEASE USE FORM 3 P0043 FOR ALL CHANGES.

| Date(s) of Proceedings              | TYPE OF PROCEEDING<br>(e.g., trial, sentencing, PCR) | NAME OF JUDGE             |
|-------------------------------------|--|---------------------------|
| October 21, 2011                    | Sentence & Motion                                    | Hon. Patrick Roma, J.S.C. |
| March 4, 29, 2011                   | Trial  | Hon. Patrick Roma, J.S.C. |
| April 4, 6, 21, 28, 2011            | Trial  | Hon. Patrick Roma, J.S.C. |
| May 4, 10, 11, 18, 19, 26, 27, 2011 | Trial  | Hon. Patrick Roma, J.S.C. |
| May 21, 2011                        | Motion New Trial                                     | Hon. Patrick Roma, J.S.C. |

This request includes all dates for this matter which were covered by this reporter:  Yes  No

  
HELEN C. GODBY  
Assistant Deputy Public Defender  
Intake Unit

December 21, 2011

Date

ICG/rng

- c: Clerk, Appellate Division
- Supervisor of Court Reporters
- County Prosecutor
- Attorney General
- Criminal Case Management

Note:

The Transcript Ordering Information Form CP0091 (4/87)R, must be attached to this form to ensure the COURT TRANSCRIPT REQUEST is processed expeditiously.

This section to be completed by court reporter or transcriber (within (5) days of receipt of request) if transcript request is correct and is being processed.

**ACKNOWLEDGEMENT of Receipt of Request**

Estimated # of pages \_\_\_\_\_  
Estimated completion date \_\_\_\_\_  
(Completion date NOT to exceed 30 days without approval of court)

SIGNATURE (Court Reporter/Transcriber) \_\_\_\_\_ Date \_\_\_\_\_

Completed copies of ACKNOWLEDGEMENT to:

1. Supervisor of Court Reporters
2. Chief, Reporting Services
3. Appellate Division
4. Office of the Public Defender

TO THE EXTENT POSSIBLE, LIST THE PROPOSED ISSUES TO BE RAISED ON THIS APPEAL, AS THEY WILL BE DESCRIBED IN APPROPRIATE POINT HEADINGS PURSUANT TO R. 2:6-2(a) (5). Appellant or cross appellant only.

Issues cannot be determined until after transcripts have been received and reviewed.

IF YOU ARE APPEALING FROM A JUDGMENT ENTERED BY A TRIAL JUDGE SITTING WITHOUT A JURY OR FROM AN ORDER OF THE TRIAL COURT, COMPLETE THE FOLLOWING:

1. Did the trial judge issue oral findings or opinion? Yes \_\_\_\_\_ No \_\_\_\_\_  
If so, on what date? \_\_\_\_\_

2. Did the trial judge issue written findings or opinion? Yes \_\_\_\_\_ No \_\_\_\_\_  
If so, on what date? \_\_\_\_\_

Caution: before you indicate that there was neither an opinion nor findings, you should inquire of the trial judge to determine whether findings or an opinion was placed on the record out of counsel's presence or whether the judge will be filing a statement or opinion pursuant to R. 2:5-1(b).

Date of your inquiry: \_\_\_\_\_

Will the trial judge be filing a statement or opinion pursuant to R. 2:5-1(b)? Yes \_\_\_\_\_ No \_\_\_\_\_

1. IS THERE ANY CASE NOW PENDING OR ABOUT TO BE BROUGHT BEFORE THIS COURT WHICH:

(A) Arises from substantially the same case or controversy at this appeal? unknown Yes \_\_\_\_\_ No \_\_\_\_\_

(B) Involves an issue that is substantially the same, similar or related to an issue in this appeal? unknown Yes \_\_\_\_\_ No \_\_\_\_\_

2. WAS THERE ANY PRIOR APPEAL INVOLVING THE CASE OR CONTROVERSY? Yes \_\_\_\_\_ No \_\_\_\_\_

IF YES, STATE:

Case Name: State v.

Appellate Division Docket No.:

Stephen F. Scharf  
Name of Appellant or Respondent

12/30/11  
Date

JOSEPH E. KRAKORA  
Public Defender  
Name of Counsel of Record

  
Signature of Counsel of Record  
HELEN GODBY  
Assistant Deputy Public Defender