

1 SUPERIOR COURT OF NEW JERSEY
2 LAW DIVISION, CRIMINAL PART
3 PASSAIC COUNTY
INDICTMENT NO. 14-02-0094-I
A.D. # A-001915-15-T2

4 STATE OF NEW JERSEY,

5 vs.

6 ARCADIO J. NOVA,

7 Defendant.

)
) TRANSCRIPT
) OF
) TRIAL
)
)
)

8 Place: Passaic County Courthouse
9 77 Hamilton Street
Paterson, NJ 07505

10 Date: July 27, 2015

11 BEFORE:

12 HONORABLE MARILYN C. CLARK, J.S.C.

13 TRANSCRIPT ORDERED BY:

14 DEBORAH C. COLLINS, ESQ. (First Assistant Deputy
Public Defender)

15 APPEARANCES:

16 KELLY WALSH, ESQ. (Assistant Prosecutor)
17 Attorney for the State

18 LEIGH GILSENAN SALTIEL, ESQ. (Assistant Deputy Public
Defender)
19 Attorney for the Defendant

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22 Transcriber, Eileen M. Zakrzewski
23 KING TRANSCRIPTION SERVICES, LLC
3 South Corporate Drive, Suite 203
24 Riverdale, NJ 07457
Recording Operator: Alma Gomez
25

1 being the perpetrator of any crime that may have been
2 committed. Hence, the identity of the alleged
3 perpetrator is in dispute.

4 Now, our rules of evidence do permit evidence
5 of other crimes, wrongs or acts when the evidence is
6 used for a specific narrow purpose. In this case, you
7 may consider this evidence solely as evidence
8 pertaining to the identity of the alleged perpetrator.
9 You may not use this evidence as evidence that Mr. Nova
10 has a disposition or tendency to do wrong. You may
11 only use this evidence when weighing the issue of
12 identity.

13 Now, before you decide what, if any weight to
14 give to this evidence, you must be satisfied that the
15 pictures were extracted from a phone owned or used by
16 Mr. Nova, and that he knew said photos were on the
17 phone. If you are so satisfied then the weight to be
18 given to the pictures as to the issue of identity is
19 entirely up to you.

20 If you are not satisfied that the pictures
21 were extracted from a phone owned or used by Mr. Nova
22 and/or that he did not know that said pictures were on
23 the phone, then the pictures should be given no weight.

24 Whether this evidence does in fact
25 demonstrate evidence of identity in the case before you

(Jury exits the court room)

THE COURT: All right counsel, give the verdicts that have been entered, I'm going to revoke bail. I'm going to order an evaluation at the Adult Diagnostic and Treatment Center at Avenel and a pre-sentence report. Sentence is scheduled for 9:00 o'clock on October 2, 2015. All right. Thank you, counsel.

MS. SALTIEL: Thank you.

(Proceeding concluded)

Certification

I, Eileen M. Zakrzewski, the assigned transcriber, do hereby certify the foregoing transcript of proceedings on Compact Disc, from 9:11:11 a.m. to 10:01:09 a.m., 10:25:49 a.m. to 11:14:29 a.m., 11:19:00 a.m. to 12:17:29 p.m., 1:32:17 p.m. to 1:42:01 p.m. and 3:42:31 p.m. to 3:55:40 p.m., is prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate non-compressed transcript of the proceedings as recorded.

/s/Eileen M. Zakrzewski June 2, 2015
Eileen M. Zakrzewski, AOC #529 (Date)

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