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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-MIDDLESEX COUNTY
INDICTMENT NO. 06-09-1414
APPELLATE NO. 003047-09-T2

STATE OF NEW JERSEY * STENOGRAPHIC TRANSCRIPT
*
VS. * OF
*
PABLO S. MACHADO, * V.O.P. PROCEEDINGS
Defendant. *

Place: Middlesex County Courthouse
1 Kennedy Square
New Brunswick, N.J. 08903

Date: July 13, 2007

TRANSCRIPT ORDERED BY: Helen Godby, Esq.
Office of the Public Defender
Appellate Section

B E F O R E: HONORABLE FREDERICK P. DE VESA, J.S.C.

A P P E A R A N C E S:

NEIL CASEY, ESQ.,
ASSISTANT MIDDLESEX COUNTY PROSECUTOR
ATTORNEY FOR THE STATE

DANIEL GONZALEZ, ESQ.,
ASSISTANT DEPUTY PUBLIC DEFENDER
ATTORNEY FOR THE DEFENDANT

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SUPERIOR COURT
OF NEW JERSEY



Reported by Gail Schilizzi, C.C.R.
Transcribed by Susan Marcinczyk, C.C.R.
Official Court Reporter
Middlesex County Courthouse
New Brunswick, New Jersey
08903



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1 THE COURT: All right, this is the matter of State
2 versus Pablo Machado.

3 Your appearances, please.

4 MR. CASEY: Neil Casey, Assistant Prosecutor.

5 MS. MC DANIEL: Jessie McDaniel, Middlesex County
6 Probation Officer.

7 MR. GONZALEZ: Daniel Gonzalez on behalf of Pablo
8 Machado who is present, Judge.

9 THE COURT: Okay, Mr. Gonzalez, what is the status
10 of this matter?

11 MR. GONZALEZ: The status of this case is as
12 follows, Judge.

13 The recommendation by probation is continued
14 probation. It seems that the violations that Mr. Machado
15 has with regards to failures to report and failures to pay
16 fines, he has come up to date with his fines as of today we
17 have provided that proof to Miss McDaniel. The allegation
18 is that he has failed to report as of now. I warned him
19 about it. I told him about his right to a hearing with
20 regard to the violation of probation. He is agreeable to
21 pleading guilty to the violation of probation and being
22 continued on probation which is what the recommendation asks
23 for.

24 He understands that he needs to be reporting and
25 needs to be paying his fines in a timely manner.



1 THE COURT: Okay.

2 Mr. Machado, did you hear everything that Mr.
3 Gonzalez just reported?

4 THE DEFENDANT: Yes.

5 THE COURT: Is it true that you intend to plead
6 guilty to violating your probation?

7 THE DEFENDANT: Yes.

8 THE COURT: You understand that by pleading
9 guilty you are giving up your right to a hearing where
10 probation would have to prove your guilt in court?

11 THE DEFENDANT: Yes.

12 THE COURT: And do you understand that I have to
13 resentence you on this charge.

14 THE DEFENDANT: Yes.

15 THE COURT: And probation is recommending that I
16 resentence you to continued probation.

17 Do you understand that?

18 THE DEFENDANT: Yes.

19 THE COURT: And finally, do you understand that if
20 you are guilty today of violating your probation and then
21 you violate probation again, if you ever do that then you
22 probably would be looking at jail time.

23 Do you understand that?

24 THE DEFENDANT: Yes.

25 THE COURT: Okay, can we swear in Mr. Machado.



1 P A B L O S. M A C H A D O, sworn.

2 QUESTIONING BY THE COURT:

3 Q Mr. Machado, you were put on probation back in
4 2006, December, correct?

5 A Yes.

6 Q You have to speak up, Mr. Machado, I have got to
7 be able to hear and the court reporter has to be able to
8 hear you.

9 Now, you are charged with failing to report to
10 probation many times during the early part of 2007 on,
11 basically, probation says that you just kind of basically
12 knew, you took off and didn't report for several months, is
13 that correct?

14 A Yes.

15 Q So you know that that was a violation of your
16 probation, right?

17 A Yes.

18 THE COURT: All right, well, I am satisfied then
19 that there is an adequate factual basis, and, therefore, I
20 am going to accept the defendant's plea and at this point I
21 am just going to order continued probation with the
22 understanding, Mr. Machado, that you have to continue to pay
23 your fines, you have to continue to report when necessary,
24 and, of course, you have to remain drug free.

25 If you complete your probation without any further



1 violations, you'll be off pretty soon, you might even be
2 able to get off a little early; but if you have anymore
3 violations then I may have to sentence you to jail.

4 Do you understand?

5 THE DEFENDANT: Yes.

6 THE COURT: Okay, do you have any questions? You
7 got a question?

8 THE DEFENDANT: No.

9 THE COURT: All right, then, make sure that you
10 comply with your probation, all right.

11 Thank you.

12 MR. GONZALEZ: Thank you.

13 (Proceedings concluded)

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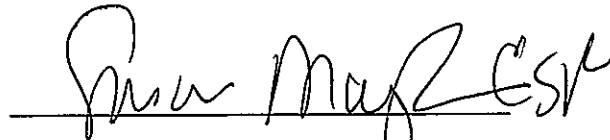
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C E R T I F I C A T I O N

I, SUSAN J. MARCINCZYK, C.S.R., License Number #XI00867, an Official Court Reporter in and for the State of New Jersey, do hereby certify the foregoing to be prepared in full compliance with the current Transcript Format for Judicial Proceedings and is a true and accurate non-compressed transcript of the proceedings and testimony taken in this case by Gail Schilizzi, Certified Court Reporter, License Number XI00795. I also certify that Gail Schilizzi is retired and unavailable to certify this transcript.



Susan J. Marcinczyk, C.S.R.

Official Court Reporter

Middlesex County Courthouse

New Brunswick, New Jersey

Date: 3/22/10

