

PROSECUTOR'S DOCKET NO 11000275

THEODORE J. ROMANKOW  
Prosecutor of Union County  
32 Rahway Avenue  
Elizabeth, New Jersey 07202  
(908) 527-4500  
Attorney for the State of New Jersey

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – UNION COUNTY  
CRIMINAL

THE STATE OF NEW JERSEY	:	
v.	:	
GARRETT SMITH	:	INDICTMENT NO.
	:	<i>N.J.S.A.</i> 2C:21-4.6a(1)
	:	INSURANCE FRAUD
	:	(SECOND DEGREE)
	:	<i>N.J.S.A.</i> 2C:28-4
	:	FALSE REPORTING TO LAW ENFORCEMENT
	:	(FOURTH DEGREE)
	:	(TWO COUNTS)

**COUNT ONE**

The Grand Jurors of the State of New Jersey for the County of Union, present upon their oaths that Garrett Smith, on diverse dates between December 25, 2010 and January 5, 2011, in the Borough of Roselle, in the County of Union, and within the jurisdiction of this Court, did knowingly make or cause to make, orally, at least five false, fictitious, fraudulent or misleading statements of material fact and/or omitted a material fact or caused a material fact to be omitted in documents and records submitted as part of, or in support of or in connection with a claim for payment or reimbursement pursuant to an insurance policy, thereby wrongfully attempting to obtain a benefit of \$7,918.57, to wit: Garrett Smith did knowingly make or cause to be made or omitted from making or caused to be omitted, orally, at least, but not limited to, the following false, fictitious, fraudulent or misleading statements of material fact to the Roselle Police Department and New Jersey Manufacturers Insurance Company in support of and in connection with a claim of payment or reimbursement pursuant to an insurance policy:

1. On December 26, 2010, Garrett Smith called the Roselle Police Department and falsely reported that his 2001 white Lincoln Town Car, bearing New Jersey registration NZB31G, was hit by another vehicle while parked in front of his house at 636 Jackson Avenue in Roselle, New Jersey,
2. On December 26, 2010, Garrett Smith made a false police report to Sergeant Brian Byrnes of the Roselle Police Department stating again that his vehicle was hit and damaged by another vehicle while parked in front of his home at 636 Jackson Avenue in Roselle, New Jersey,
3. On December 30, 2010, Garrett Smith called the New Jersey Manufacturers Insurance Company to report a claim for damage done to his vehicle. Again, Smith alleges that the vehicle was parked in front of his home at 636 Jackson Avenue in Roselle, New Jersey when it was struck by another vehicle,
4. On January 4, 2011, Garrett Smith again contacted New Jersey Manufacturers Insurance Company in an effort to obtain payment in connection with the fraudulent reported accident. At no time during this conversation or subsequent conversations did Smith inform New Jersey Manufacturers Insurance Company that he was in fact involved in a hit-and-run accident on December 25, 2010 at 2:14 a.m., in the Borough of Roselle, thereby omitting a material fact in an oral conversation with New Jersey Manufacturers Insurance Company,
5. On January 5, 2011, Garrett Smith again contacted New Jersey Manufacturers Insurance Company in effort to obtain payment in connection with the fraudulent accident. At no time during this conversation or subsequent conversations did Smith inform New Jersey Manufacturers Insurance Company that he was in fact involved in a hit-and-run accident on December 25, 2010 at 2:14 a.m., in the Borough of Roselle, thereby omitting a material fact in an oral conversation with New Jersey Manufacturers Insurance Company,

contrary to the provisions of 2C:21-4.6a(1), and against the peace of this State, the Government and dignity of the same.

### COUNT TWO

The Grand Jurors of the State of New Jersey for the County of Union, present upon their oaths that Garrett Smith, on December 26, 2010, in the Borough of Roselle, in the County of Union, and within the jurisdiction of this Court, did knowingly give or cause to give false information to a law enforcement officer with purpose to implicate another, to wit; Garrett Smith, on December 26, 2010, called the Roselle Police Department and falsely reported that his car was hit by another vehicle while parked in front of his house, falsely implicating the driver of the fictitious vehicle, contrary to the provisions of *N.J.S.A. 2C:28-4*, and against the peace of this State, the Government and dignity of the same.

### COUNT THREE

The Grand Jurors of the State of New Jersey for the County of Union, present upon their oaths that Garrett Smith, on December 26, 2010, in the Borough of Roselle, in the County of Union, and within the jurisdiction of this Court, did knowingly give or cause to give false information to a law enforcement officer with purpose to implicate another, to wit; Garrett Smith, on December 26, 2010, reported to Sergeant Brian Byrnes of the Roselle Police Department that his car was hit by another vehicle while parked in front of his house, falsely implicating the driver of the fictitious vehicle, contrary to the provisions of *N.J.S.A. 2C:28-4*, and against the peace of this State, the Government and dignity of the same.

---

COUNTY PROSECUTOR

ENDORSED:

---

FOREPERSON