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ELIAS AGREDO-NARVAEZ  
C/O ELIAS AGREDO-NARVAEZ™  
1080 East Veterans Highway  
Jackson, New Jersey  
[08527]

February 21, 2018

"Decency, Security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperil if it fails to observe the laws scrupulously. Our government is the potent omnipresent teacher. For good or ill, it teaches the whole people by it's example. Crime is contagious. If the government is the law breaker, it breeds contempt for the law; it invites every man to become a law unto himself; it invites anarchy. To declare that in the administration of criminal laws the end justifies the means to declare that the government may commit crimes in order to secure the conviction of a private criminal- would bring terrible retribution. Against that pernicious doctrine this Court should resolutely set its face..... And so should every law enforcement student, practitioner, supervisor, and administrator." **Supreme Court Justice Brande**, in the case of **Olmstead v. United States**

Attention:

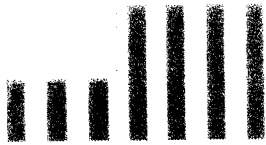
Jackson Township Police Chief, Matthew Kunz.  
Jackson Police Department,  
Police officer James Reynolds III, badge # 253.  
ALLSHORE TOWING SERVICE.

This is a time sensitive document and your attention and response are required.

**NOTICE OF VIOLATION OPORTUNITY TU CURE AND**  
**NOTICE OF INTENT TO FILE SUIT**

Notice is the first requirement of due process.

**EXHASTION OF REMEDIES:** a Judicial policy or statutory requirement that certain administrative or non-federal judicial remedies be pursued by litigant before a state



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1 or the Federal Court will consider the controversy. 228  
2 N.W. 2d 640' 642.

3 **CONSTRUCTIVE NOTICE**

4  
5 If the allegations made in this document are not  
6 properly rebutted within 21 days from the date of  
7 delivery, all paragraphs not denied **shall** be affirmed  
8 by such default, and **shall** be accepted as dispositive,  
9 conclusive facts by the JACKSON POLICE DEPARTMENT and  
10 all employees therein; wherein all of you, and the  
11 Police chief or any executive officer of said agency,  
12 had the opportunity and "failed to plead". This is also  
13 in accordance with FRCP Rule 8(b)(6)  
14  
15

16 **Dear law enforcement officers and interested parties;**  
17

18 "It is not the function of the government to stop the citizen  
19 from falling into error; it is the function of the citizen to  
20 keep the government from falling into error"  
21

22 The man with arms and legs who writes this document, hereby  
23 gives you the following notices, in accordance with due process  
24 requirements, and is in order to secure a speedy right to move  
25 to higher levels (perhaps the Federal Courts) should we fail to  
26 resolve this issue outside of the said Courts.  
27

28 This private document is and will be kept private until 10 days  
29 after the received date shown on a return receipt from the USPS,  
30 after said period of ten days it will be made part of documents  
31 of public domain by way of upload to the internet.  
32

33 **NOTICE OF VIOLATIONS**



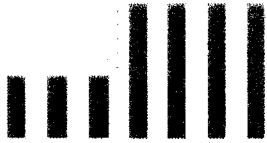
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1  
2 Please be advised that police officer James Reynolds III who  
3 carries badge number 253 has violated the God given rights to  
4 the man identified on the very first line of this document, and  
5 those rights are also acknowledged and protected by the  
6 Constitution for united states Of America as well as the  
7 Constitution of the New Jersey state, in other words; said  
8 officer has violated the sources of his authority. At the same  
9 time, the police chief is also in such violation by way of  
10 condoning and aiding in the illegal and unlawful seizure that  
11 took place as will be shown further down, and for such violation  
12 I am personally holding you all, individually and collectively  
13 liable for my loss.

14  
15 The action took place at my place of abode AKA 1080 East  
16 Veterans Highway; on or about December 13, 2017 (PLEASE SEE COPY  
17 OF TICKET MARKED AS EXHIBIT-A AND OTHER RECEIPTS FROM THE TOWING  
18 COMPANY)

19  
20 On the said day, officer James Reynolds III did unlawfully seize  
21 2 cars identified as follows:  
22 Beige color [NOT GRAY AS DESCRIBED IN THE TICKET] 1997 Buick  
23 lesabre VIN# 1G4HP52K2VH570189 and,  
24 Blue color 2002 Buick lesabre VIN# 1g4hp54k924224480.

25  
26 The first car identified was a promise to my daughter of now 16  
27 years of age that that would be her first car as she has just  
28 turned 15 at the time of the promise. The car had the engine  
29 blown and was in non-operable/Drive-able conditions, the second  
30 car, the blue one, was a gift from my neighbor who lives next to  
31 me. He gave me the car in part for compensation since I had



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1 repaired his other car and because he knew of my intention to  
2 repair one car with the other one, and although it was never  
3 registered under my name, the title was given to me and I had  
4 **proprietary rights to it.**

5 The two cars were taken without notice, without consent and for  
6 no reason since they were within property **CLEARLY MARKED as**  
7 **PRIVATE PROPERTY- NO TRASSPACING.** Said property is not commonly  
8 open to the general public, has no parking rules, is without any  
9 contract with any towing company whatsoever, and hasn't post any  
10 warning signs at all, and to make the seizure even more illegal;  
11 no one was contacted or notified about, not even a note, even  
12 when the officer clearly knew where to leave a note or knock on  
13 the door. (Thus, I am at liberty to presume (**unless someone can**  
14 **prove properly established lawful authority for the taking**) those  
15 cars to have been **stolen**)

16  
17 Of particular importance is the fact that when the seizure took  
18 place, there were at least 4-5 other cars within the same  
19 property without plates; **[pictures on record for future use]**  
20 most likely without registration, however; **NONE OF THEM WERE**  
21 **TAKEN, only mine, why?**

22  
23 Although it is irrelevant to the instant case, is needed to  
24 mention that currently; I am forced to pay insurance surcharges  
25 for another error from a fellow police officer who neglected to  
26 correct the record when erroneously issued a ticket for driving  
27 without a license when in-fact it was a licensed expired. His  
28 negligence to notify the proper parties has also caused me  
29 damaged in the form of surcharge payments and therefore I am  
30 getting the feeling that if not stopped, these police officers  
31 will continue to harass me or cause me wrongs.



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1  
2 If the seizure took place because the officer is commanded to do  
3 so by law, how come there are at least 27plus cars still **[AS I**  
4 **WRITE THIS DOCUMENT]** seating on private yards **[pictures of them**  
5 **also on record for future use]** within 5 blocks from where mine  
6 were taken? Is the law applicable to me and my property only? Or  
7 was the seizure a form of retaliation for the criminal complaint  
8 that I filed against some of the court officers for maliciously  
9 labeling me as a **SOVEREIGN CITIZEN** for showing them an opinion-  
10 **letter from the attorney general [AND OTHER DOCUMENTS]** stating  
11 **that no one is required by law to obtain a driver's license or**  
12 **to register or insure their private cars unless involved in the**  
13 **transporting of people or property for a fee? [SEE EXHIBIT -B] I**  
14 *am also including a copy of relevant part of a Court case for*  
15 *your enlightenment. The Court case has never ever been over*  
16 *ruled.*

17  
18 Before I continue, is now imperatively important to inform you,  
19 that at this time my neighbors as well as my family members are  
20 well aware of these circumstances and that I have no known  
21 enemies, that I am not a violent person, I am not  
22 antigovernment, JUST ANTIBULLSHIT, I am a happy and healthy  
23 being with no medical history, not depressive, Not suicidal, and  
24 that due the nature of my job, there are at least 300 to 400  
25 people within Lakewood, Jackson and Toms river who can testify  
26 to these facts.

27  
28 Furthermore; this document and its contents are not intended to  
29 harass, hinder, or intimidate any one; much less to impede the  
30 lawful application of any clearly stablshed law, in fact, it is  
31 intended to demand exercise and protect my god given rights



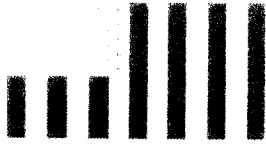
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1 which you are supposed to protect or at the minimum not to  
2 interfere with.

3  
4 For your information!!!! The City ordinance **103:337** that was  
5 used and shown on the ticket [**mailed to me**] as authority for the  
6 seizure is turned on its head by the next ordinance namely  
7 **103:338** but obviously; reading further down was perhaps too much  
8 work to be expected from an **individual** who just follows any  
9 order in a robotic fashion without reasoning or critical  
10 thinking since he was trained to just follow without questioning  
11 because questioning shows that you are an **intelligent person** who  
12 does not benefit the revenue flow into the **SYSTEM**.

13 [I wonder if this is the reason behind the label "one of THE  
14 FINEST"]

15 And, since 103:337 is nullified by 103:338 and there was not any  
16 crime committed while using such cars, and since there is not  
17 any state statute that authorizes the taking of private property  
18 located within private property in the given circumstances; **YOU**  
19 **HAVE THEN VIOLATED THE 4<sup>TH</sup>, 5<sup>TH</sup> AND 14<sup>TH</sup> AMMENDMENTS TO THE**  
20 **CONSTITUTION which is the source of whatever little authority**  
21 **you may have.** (And I would like to clarify here that it is not  
22 any privileges that I refer to since my Rights come from my  
23 Creator not the Constitutions, The CONstitutions merely protect  
24 them, and amendments are only applicable to U.S. Citizens and  
25 government officials (**of whom I am none**) in the form of  
26 limitations as to the way in which you behave in relation to my  
27 private live and matters, therefore when I speak of violation of  
28 the amendments you have violated, I refer to the trespassing of  
29 those limitations, NOT OF ANY PRIVILEGE OF MINE, BECAUSE WHETHER  
30 YOU LIKE IT OR NOT, WHETER YOU BELIEVE IT OR NOT, I HAVE RIGHTS  
31 NOT PRIVILEGES AS YOU MIGHT WANT ME TO BELIEVE) and your city



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1 ordinance cannot apply in contravention of either state or  
2 Federal Constitution, **AND IT DOES.**

3 Furthermore;

4 103:337 speaks only of what persons SHALL NOT do in certain  
5 circumstances with certain vehicles, it never grants authority  
6 to you or anyone to do anything. It does not say for example  
7 "police officers "Shall" do this or that" but most likely, you  
8 don't care because you have decided to enforce the law correct?  
9 Well, you better know the laws you are enforcing because if you  
10 are calling yourself a law enforcement officer you will be held  
11 to know the laws you enforce because "**ignorance of the law is**  
12 **not an excuse**". **YOU HAVE ABANDONED WHATEVER IMMUNITY YOU MAY**  
13 **HAVE ENJOYED AT THE MOMENT YOU TRASPASSED ON ME, SO, YOU CAN NOT**  
14 **CLAIM TO HAVE BEEN FOLLOWING THE LAW. YOU ARE NOW PERSONALLY**  
15 **LIABLE AND YOUR OFFICIAL CAPACITY ENDED AT THE TIME YOU STOLE**  
16 **FROM ME.**

17  
18 "Persons dealing with government are charged with knowing  
19 governments statutes and regulations, and they assume the risk  
20 that government agents may exceed their authority and provide  
21 misinformation"

22  
23 As you can see in,

24 Owen v. City of independence, 445 US 622 (1980) A municipality  
25 has no immunity from liability from it's constitutional  
26 violations and may not assert the good faith of it's officers as  
27 a defense to such liability.

28 And,

29 Porter v. City of Atlanta, 259 Ga. 526 (1989) Even when power is  
30 specifically delegated, local governments may NOT enact any  
31 ordinance that is preempted by or in conflict with state  
32 legislation or is inconsistent with the Constitution.



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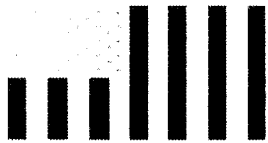
1 Plainly, therefore, you have the right to impound cars used in  
2 the commission of crimes, vehicles damaged in traffic collisions  
3 to the extent that they cannot safely be driven away, and cars  
4 that present traffic hazards or obstruct the normal traffic  
5 flow. In other circumstances, however, **your right to impound is**  
6 **not so clear.**

7  
8 **Statutes vs. the Fourth Amendment**

9 Because the Constitution is the supreme law of the land (Article  
10 VI), states are not at liberty to empower their officers to  
11 conduct seizures of property that may be unreasonable under the  
12 Fourth Amendment. In Sibron v. New York, the Supreme Court  
13 considered the conflict between a state statute that purported  
14 to authorize certain seizures and the overriding command of the  
15 Fourth Amendment that all seizures be reasonable. Finding the  
16 seizure in that case unreasonable, the court said, "[A state]  
17 may not authorize police conduct which trenches upon Fourth  
18 Amendment rights. The question is not whether the search or  
19 seizure was authorized by state law. The question is rather  
20 whether the search or seizure was reasonable under the Fourth  
21 Amendment."

22  
23 The federal appellate courts and many state courts have drawn  
24 the same distinction, **finding that vehicles impounded under**  
25 **state or local laws or policies were nevertheless unreasonable**  
26 **under the Fourth Amendment.** In U.S. v. Squires, for example, New  
27 York City police impounded a car from a parking lot "for  
28 safekeeping" after arresting its occupant on a warrant. The  
29 Second Circuit Court of Appeals held that this seizure was  
30 unreasonable under the Fourth Amendment because the car could  
31 have been left lawfully parked in the parking lot, and "the  
32 officers did not have a reasonable basis for concluding that it





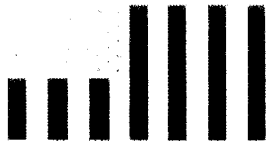
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1 was necessary to take the Cadillac to the police station in  
2 order to protect it."

3 In U.S. v. Duguay, a drug suspect was a passenger in a car that  
4 was driven into a parking lot and parked. After he was arrested,  
5 the car was impounded and inventoried and drugs were found. The  
6 Illinois officers testified that it was their standard policy to  
7 impound all vehicles "for safekeeping" when an occupant had been  
8 arrested. The court found the impound to be an unreasonable  
9 seizure and suppressed the resulting evidence: "The decision to  
10 impound an automobile is only valid if the arrestee is otherwise  
11 unable to provide for the speedy and efficient removal of the  
12 car from public thoroughfares or parking lots." Finding that in  
13 this instance two un-arrested associates who were present could  
14 have taken custody of the car, the court found the impound to be  
15 in violation of the Fourth Amendment.

16 The Ninth Circuit Court of Appeals considered a civil suit  
17 arising from an Oregon officer's impound of a car after citing  
18 the driver and passenger for traffic violations in Miranda v.  
19 City of Cornelius. Jorge Miranda, a licensed driver, was trying  
20 to teach his wife to drive. An officer saw errant driving and  
21 signaled the driver to stop. Mrs. Miranda pulled the car into  
22 the driveway of their home and stopped. Both occupants were  
23 cited and the officer impounded the car under local and state  
24 statutes authorizing an impound when a vehicle was driven by an  
25 unlicensed driver. The Mirandas brought a federal civil rights  
26 suit for violation of their Fourth Amendment rights, and the  
27 Ninth Circuit agreed that the impound was an unreasonable  
28 seizure.

29 Although the city argued that the impound was lawful because it  
30 was authorized by local laws, the court said, "The decision



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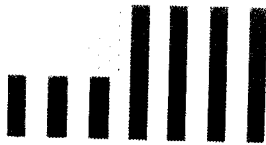
1 to impound pursuant to the authority of a city  
2 ordinance or state statute does not, in and of itself,  
3 determine the reasonableness of the seizure under the  
4 Fourth Amendment." Noting that the Mirandas' car was lawfully  
5 parked in their own driveway the court ruled the seizure  
6 unreasonable.

7 The court limited the circumstances under which a vehicle could  
8 lawfully be impounded: "The violation of a traffic regulation  
9 justifies impoundment of a vehicle if the driver is unable to  
10 remove the vehicle from a public location without continuing its  
11 illegal operation. But an officer cannot reasonably order  
12 an impoundment in situations where the location of the  
13 vehicle does not create any need for the police to  
14 protect the vehicle or to avoid a hazard to other  
15 drivers."

16  
17 The Court commented that, "[a] seizure conducted without a  
18 warrant is per se unreasonable under the Fourth Amendment—  
19 subject only to a few specifically established and well  
20 delineated exceptions." United States v. Hawkins, 249 F.3d 867,  
21 872 (9th Cir. 2001) (internal quotation marks and citation  
22 omitted).

23  
24 In answering this question, the Court initially noted that, "[a]  
25 seizure is justified under the Fourth Amendment only to the  
26 extent that the government's justification holds force.  
27 Thereafter, the government must cease the seizure or secure a  
28 new justification."

29  
30 No wonder the ticket has been dismissed twice without me saying  
31 a single word. Perhaps someone is hoping for me to feel so lucky



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1 or fortunate for having to pay only \$525 dollars [see EXHIBIT -  
2 B] for the towing and storing of my cars at the yard for one  
3 single night while ignoring the crimes committed against me by  
4 those who are supposed to protect me. At this point, I am very  
5 convinced that the Judge wouldn't hesitate to find me guilty  
6 knowing that I was in fact, but he did not, and I know very well  
7 that he didn't do it because he likes me.  
8  
9

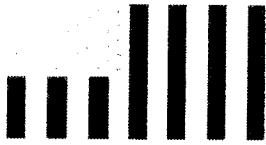
### 10 OPORTUNITY TO CURE OR REMEDY

11  
12 You have now been duly notified of the violations you have  
13 committed and therefore in order to cure or remedy your wrongs  
14 the following should be done in order to avoid going to the  
15 proper channels in federal court.

- 16 1. I demand the return of my two cars to my driveway;  
17 preferably on the same spot from where they were taken.  
18 2. I demand Refund of \$525 dollars that I was forced to pay to  
19 ALLSHORE TOWING SERVICE by coercion under threat of having  
20 to pay double that amount if not paying immediately or  
21 triple amount if waited until the following day and so on,  
22 this, in addition to two hours @ \$50,00 that I spent on  
23 trying to get the issue resolved.

- 24 3. I demand (within 10 days) a \$250,000.00 dollars  
25 compensation for the trespassing on me and my property.  
26 In the alternative; if you are unable to advance a check  
27 for that amount, then; please, provide all insurance and  
28 bonding company information so that I can report your wrong  
29 doing and file a claim on such bond.

- 30 4. And I also demand an answer to the following questions.  
31 were you, the police officer/s, required by statute to do



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1 what you did to me? were you required by statute to  
2 discriminate against me in compliance of such statute? Do  
3 you consider yourself to be above the law?

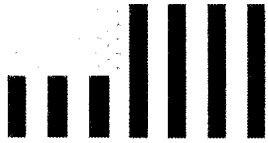
4 What was the probable cause leading you to the seizure of  
5 my cars? Please explain, how come you did not see at least 5  
6 other cars without license plates sitting on the front  
7 yards of properties on your way from the police station to  
8 my place.

9 5. Please explain and show any evidence to prove that my cars  
10 were stored or abandoned as described in your  
11 unconstitutional ordinance.

12 6. What paragraph of the ordinance commands you to steal my  
13 cars under color of law?  
14  
15

### 16 NOTICE OF INTENT TO FILE SUIT

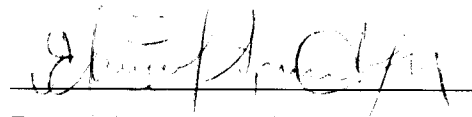
17  
18 If the above demands are not honored (within no more than 21  
19 days) for whatever reason and you fail to inform me as to the  
20 reason why you cannot comply, and fail to inform Me as to  
21 whatever wrong or misleading information you find within this  
22 document so that I can correct it; then I will continue to  
23 presume that I am correct on every point and that you  
24 individually and collectively **agreed to be bound** by the terms  
25 herein, in any proceeding in any court and this document in its  
26 entirety will become an EXHIBIT- to be used in federal court to  
27 show them that I indeed tried to settle outside of the courts  
28 and that you disregarded the opportunity.  
29  
30



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1 Respectfully,

2 Without prejudice

3  
4  
5 

6 By elias agredo-narvaez

7 For ELIAS AGREDO-NARVAEZ©

8  
9 **Attachments:**

10 **This document.** 13 pages

11 **Exhibit -A** 5 pages

12 **Exhibit-B** 1 page

13 **Application of stork** 3 pages

14 **Certificate of mailing** 1 page

15  
16 **TOTAL PAGES INCLUDED IN THIS MAILING** 24

17  
18  
19 **Cc to**

20 **ALLSHORE TOWING SERVICE. By certified mail To 133 E. Commodore**  
21 **Blvd.**

22  
23 **Police officer James Reynolds III, badge # 253. At 102 Jackson**  
24 **drive by Certified mail.**

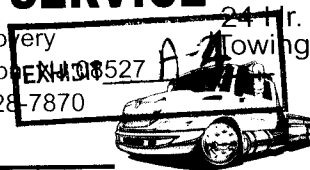
25  
26  

This document and all of it's attachments must be filed as permanent part of whatever record your agency or office maintains under the names ELIAS AGREDO-NARVAEZ, Elias Agredo-Narvaez, or any derivatives thereof.



# ALLSHORE TOWING SERVICE

Heavy Duty Towing & Recovery  
133 East Commodore Blvd. Jacksonville, FL 32208  
(732)928-5597 Fax(732)928-7870



Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Date \_\_\_\_\_  
Towing \_\_\_\_\_ Winching \_\_\_\_\_  
Storage \_\_\_\_\_ Clean Up \_\_\_\_\_  
Mileage \_\_\_\_\_ Per Mile \_\_\_\_\_ = \_\_\_\_\_  
Time \_\_\_\_\_ Location \_\_\_\_\_  
Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_  
Serial No. \_\_\_\_\_ Plate \_\_\_\_\_  
Tow Requested By \_\_\_\_\_  
Vehicle Towed To \_\_\_\_\_  
Released to \_\_\_\_\_

STORAGE IS BILLED BY CALENDAR DAYS

\_\_\_\_\_  
\_\_\_\_\_  
Tow \_\_\_\_\_  
Mileage \_\_\_\_\_  
Storage \_\_\_\_\_  
Clean Up \_\_\_\_\_  
Special Equipment \_\_\_\_\_  
Winching \_\_\_\_\_  
Yard Pull Out \_\_\_\_\_  
Waiting Time \_\_\_\_\_  
Administrative Fee \_\_\_\_\_  
Tax \_\_\_\_\_  
x. \_\_\_\_\_ Total \_\_\_\_\_

Not Responsible for loss or damage due to vehicle in case of fire, theft, or any other cause beyond our control.



Dec 14, 2017 1:14 PM

**Jackson Police Department**

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 40117

**Tow Report**

No. 0615



<b>Tow Details:</b>							
Case Number	Date	Time	Location	Reason for Tow	Fee Applied		
17-91109	12/13/17	15:47	102 Pleasant Drive	Unregistered	X		
<b>Driver / Owner Information:</b>							
Driver Name (Lastname, Firstname)				Middle Initial			
Address							
Owner Name (Lastname, Firstname)				Middle Initial		Same as Driver <input type="checkbox"/>	
Schwach, Christoph				M			
Address							
1080 C. East Veterans Hwy, Jackson, NJ 08527-2934							
<b>Vehicle Information:</b>							
Yr	Make	Body Type	Color	Reg	State	VIN	Mileage
200	Buick	4 Dr.	Blu	-----	--	1G4HP54K924224480	
Stolen Date		Place Stolen					
Towed to				Towed by			
133 East Commodore Blvd., Jackson, NJ 08527 (P) 732-928-9292				Jackson Auto Body			
Conditions for Release				Insurance Compar		Policy / Exp. Date	
Hold for proof of registration and insurance							
<b>Details of Recovery:</b>							
Recovered Date		Place Recovered					
Overall Condition							
Special Equipment							
Found in Possession of				Address			
<b>Notes:</b>							
towed for township ordinance, unregistered. Twp Administrative Fee Applies *Per Tammy at Jackson Autobody, the vehicles title is being turned over to the tow company due to the owner not being able to register and insure the vehicle							
<b>Disposition of Vehicle:</b>							
Release Date		Proof of Ownership		Officer Authorizing Release			
Owner's Name / Released To				Address of Owner / Person Released			
Signature of Owner / Released To				Signature of Officer Releasing Vehicle			
Officer of Record				Date		Reviewed by	
Officer of Record		Reporting Date		Tow Authorized by		Reviewed by	
253 PO James Reynolds III		12/13/17		253 PO James Reynolds III		LOGAN	



# ALLSHORE TOWING SERVICE

Heavy Duty Towing & Recovery  
133 East Commodore Blvd. Jackson, NJ 08527  
(732)928-5597 Fax(732)928-7870



Name \_\_\_\_\_  
Address \_\_\_\_\_  
Phone \_\_\_\_\_ Date \_\_\_\_\_  
Towing \_\_\_\_\_ Winching \_\_\_\_\_  
Storage \_\_\_\_\_ Clean Up \_\_\_\_\_  
Mileage \_\_\_\_\_ Per Mile \_\_\_\_\_ = \_\_\_\_\_  
Time \_\_\_\_\_ Location \_\_\_\_\_  
Year \_\_\_\_\_ Make \_\_\_\_\_ Model \_\_\_\_\_ Color \_\_\_\_\_  
Serial No. \_\_\_\_\_ Plate \_\_\_\_\_  
Tow Requested By \_\_\_\_\_  
Vehicle Towed To \_\_\_\_\_  
Released to \_\_\_\_\_

STORAGE IS BILLED BY CALENDAR DAYS

\_\_\_\_\_  
\_\_\_\_\_

Tow	_____
Mileage	_____
Storage	_____
Clean Up	_____
Special Equipment	_____
Winching	_____
Yard Pull Out	_____
Waiting Time	_____
Administrative Fee	_____
Tax	_____
x. _____ Total	_____

Not Responsible for loss or damage due to vehicle in case of fire, theft, or any other cause beyond our control.

\_\_\_\_\_



Dec. 14, 2017 1:13PM

**Jackson Police Department**

102 Jackson Drive, Jackson, NJ 08527

Phone: 732-928-1111 Fax: 732-928-8874 Mun. Code: 1511

**Tow Report**

No. 0615

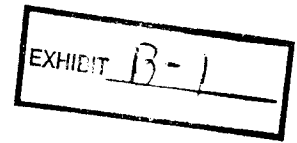
EXHIBIT

3



<b>Tow Details</b>							
Case Number	Date	Time	Location	Reason for Tow	Fees Applied		
17-91109	12/13/17	15:47	102 Pleasant Drive	Unregistered	X		
<b>Driver/Owner Information</b>							
Driver Name (Lastname, Firstname Middle Initial)							
Address							
Owner Name (Lastname, Firstname Middle Initial) Same as Driver <input type="checkbox"/>							
Agredo-Narvaez, Elias							
Address							
1080 E. veterans Hwy #1080b, Jackson, NJ 08527-2934							
<b>Vehicle Information</b>							
Yr	Make	Body Type	Color	Reg	State	VIN	Mileage
97	BUI	4 DR	BG	A87DHX	NJ	1G4HP52K2VH570189	
Stolen Date		Place Stolen					
Towed to				Towed by			
133 East Commodore Blvd., Jackson, NJ 08527 (P) 732-928-9292				Jackson Auto Body			
Conditions for Release				Insurance Company		Policy#	Exp. Date
Hold for proof of registration and insurance							
<b>Details on Recovery</b>							
Recovered Date		Place Recovered					
Overall Condition							
Special Equipment							
Found in Possession of				Address			
<b>Notes</b>							
towed for township ordinance, unregistered. TWP Admin Fee Applies *Per Tammy at Jackson Autobody, the vehicles title is being turned over to the tow company due to the owner not being able to register and insure the vehicle							
<b>Disposition of Vehicle</b>							
Release Date	Proof of Ownership			Officer Authorizing Release			
Owner's Name / Released To				Address of Owner / Person Released			
Signature of Owner / Released To				Signature of Officer Releasing Vehicle			
<b>Officer of Record</b>				<b>Date</b>		<b>Tow Authorized by</b>	
Officer of Record		Reporting Date		Tow Authorized by		Reviewed by	
253 PO James Reynolds III		12/13/17		253 PO James Reynolds III		LLOGAN	

322 Report of the Attorney-General.



Automobiles — Licenses — Chauffeurs.

Members of family owning and operating an automobile, need not procure chauffeur's license.

STATE OF NEW YORK,

Attorney-General's Office,

Albany, July 21, 1909.

Hon. Samuel S. Koenig, Secretary of State, Albany, N. Y.:

Dear Sir. — Your favor of July 13, 1909, duly received-.

In answer to your inquiry as to whether or not it is necessary for various members of a family who own an automobile to procure a chauffeur's license in the event that different members of the family operate the automobile, I am of the opinion that such license is not necessary.

There is no provision of law that I am aware of requiring the owner of a motor car or any member of his family to procure a chauffeur's license to run such machine.

Subdivision 5 of section 280 of chapter 30 of the Consolidated Laws defines the word " chauffeur " as follows : " Shall mean any person operating a motor vehicle as mechanic, employee or for hire."

Section 282 requires the owner to file in the Secretary of State's office a statement of his name and address, with a brief description of the vehicle to be registered, etc.

Section 283 provides for the registration of such motor vehicle.

Section 302 provides that every person desiring to operate a motor vehicle as a chauffeur shall file in the office of the Secretary of State a statement, which shall include his name and address and the trade name and motive power of the motor vehicle he is to operate. Upon filing such statement, the Secretary of State shall issue to the chauffeur a badge, as provided in section 304.

Section 306 provides that no person shall operate a motor vehicle as a chauffeur upon the public highways, unless such person shall have complied in all respects with the requirements of the four preceding sections.

There is no requirement that the owner of a motor vehicle shall procure a license to run the same, nor is there any requirement

Report of the Attorney-General. 323

that any other person shall do so, unless he proposes to become a chauffeur or a person conducting an automobile as an employee for hire or wages.

Yours very truly,

EDWAED R. O'MALLEY,

Attorney-General.

Supreme Court of California, In Bank.

167 Cal. 294 (Cal. 1914)

## ⊕ MATTER OF APPLICATION OF STORK



Subject=MATTER OF APPLICATION OF STORK&Body=<https://casetext.com/case/matter-of-application-of-stork>



### KEY PASSAGES FROM THIS CASE (1)

- 1 "Of first importance in this is the fact that the chauffeur offers his services to the public and is frequently a carrier of the general public. These circumstances put professional chauffeurs in a class by themselves and entitle the public to receive the protection which the legislature may accord in making provision for the competency and carefulness of such drivers. The chauffeur, generally speaking, is not driving his own car. He is intrusted with the property of others. In the nature of things a different amount of care will ordinarily be exercised by such a driver than will be exercised by the man driving his own car and risking his own property. Many other considerations of like nature will readily present themselves, but enough has been said to show that there are sound, just, and valid reasons for the classification adopted."

**Quoted 1 time**

HENSHAW, J.

Petitioner, a chauffeur who refused to pay the annual license fee of two dollars exacted by the provisions of the Motor Vehicle Act (Stats. 1913, p. 639), suffered arrest and has sued out this writ of *habeas corpus* under his contention that the portion of the act exacting a chauffeur license fee of two dollars annually is unconstitutional.

His sole contention in this regard is that the legislature without reason and warrant has made an arbitrary classification whereby chauffeurs or drivers of motor vehicles for hire are required to pay a license, while all other drivers of vehicles are classed as "operators" and are not required to secure a license or pay a license fee.

Conceding his construction of the law in this respect to be sound, is the division by the legislature of drivers of motor vehicles into the two classes indicated and the exaction of a license fee from the one and not from the other class so unwarranted and arbitrary as to compel a declaration from this court that it is unconstitutional special legislation?

That the occupation of a chauffeur is one calling for regulation and therefore permitting a regulatory license fee is beyond question. "When the calling or profession or business is attended with danger or requires a certain degree of scientific knowledge upon which others must rely, then legislation properly steps in and imposes conditions upon its exercise." (*Minneapolis etc. Railroad Co. v. Beckwith*, 129 U.S. 29, [32 L. Ed. 585, 9 Sup. Ct. Rep. 207].) That the occupation of a chauffeur is of this character may not be questioned and has been decided. (*State v. Swagerty*, 203 Mo. 517, [120 Am. St. Rep. 671, 11 Ann. Cas. 725, 10 L.R.A. (N.S.) 601, 102 S.W. 483]; *Christy v. Elliott*, 216 Ill. 31, [108 Am. St. \*296 Rep. 196, 3 Ann. Cas. 487, 1 L.R.A. (N.S.) 215, 74 N.E. 1035].) There are unquestionable elements of similarity, even of identity, between the driving of an automobile by a professional chauffeur and the driving of a like vehicle by a private owner, designated in this act as an "operator." Thus it may not be gainsaid that the ignorance of the one is as likely to result in accident as the same ignorance upon the part of the other. The recklessness of the one is as likely to result in injury as the recklessness of the other. It is equally dangerous to other occupants and users of the highway whether the unskilled or reckless driver be a chauffeur or "operator." All these matters may be conceded, and yet there are others of equal significance where the differences between the two classes of drivers are radical. Of first importance in this is the (/case/matter-of-application-of-stork?passage=oKIJ9uzOofVJ55H-ATBU4Q) fact that the chauffeur offers his services to the public and is frequently a carrier of the general public. These circumstances put professional chauffeurs in a class by themselves and entitle the public to receive the protection which the legislature may accord in making provision for the competency and carefulness of such drivers. The chauffeur, generally speaking, is not driving his own car. He is intrusted with the property of others. In the nature of things a different amount of care will ordinarily be exercised by such a driver than will be exercised by the man driving his own car and risking his own property. Many other considerations of like nature will readily present themselves, but enough has been said to show that there are sound, just, and valid reasons for the classification adopted. (/case/matter-of-application-of-stork?passage=oKIJ9uzOofVJ55H-ATBU4Q) The argument of the peril attending the public at the hands of the unlicensed operator driving his own car is not without force, but it can only successfully be presented to the legislative department and not to the courts.

In conclusion it may be said that while on reason we hold the classification to be sound and the license fee \*herefore legal, no case where any court of last resort has taken a contrary view has been called to our attention, while, besides the intimations in the cases above cited, this precise conclusion was adopted by the court of appeals of Maryland in *Ruggles v. State*, 120 Md. 553 (/case/ruggles-v-state-2) [ 87 A. 1080 (/case/ruggles-v-state-2)]. \*297

Wherefore, the writ is discharged and the petitioner is remanded.

Shaw, J., Angellotti, J., Lorigan, J., Melvin, J., and Sloss, J., concurred.

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022220182232

**CERTIFICATE OF MAILING**

One, elias Agredo-narvaez, hereby certify, that on the 24<sup>th</sup> Day of February, 2018 I caused to be delivered by depositing the same with the USPS; a document identified as **item# EAN-122372-170410** consisting of 25 pages in total including attachments, and addressed to the following parties:

By certified mail# 7016 2070 0000 2480 7114  
Chief of Police  
Matthew Kunz  
Jackson township police department  
102 Jackson drive #1  
Jackson, NJ 08527

By Certified mail# 7016 2070 0000 2480 7121  
Police officer James Reynolds III  
102 Jackson Drive #1  
Jackson, NJ 08527

By Certified mail# 7016 2070 0000 2480 7138  
ALLSHORE TOWING SERVICE.  
133 East Commodore Blvd.  
Jackson, NJ 08527

Without prejudice

Elias Agredo-Narvaez Date: 2/24/18

By elias Agredo-narvaez

For. ELIAS AGREDO-NARVAEZ