

SUPERIOR COURT OF NEW JERSEY
APPELLATE DIVISION
DOCKET NO. A-000906-22T2

STATE OF NEW JERSEY
V.
DOUGLAS MANNING

ORDER DISMISSING
APPEAL

This matter being opened to the court on its own motion and it appearing
that appellant has failed to prosecute the appeal;

IT IS HEREBY ORDERED that the above appeal is dismissed.

WITNESS, the Honorable Carmen Messano, Presiding Judge for
Administration, at Trenton, this 15th day of February, 2023.

s/JOSEPH H. ORLANDO
JOSEPH H. ORLANDO
CLERK OF THE APPELLATE DIVISION

ESSEX 04-10-3354

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Opinion Below
e.g APPENDIX B Page 95
Reason for Granting the Writ

Jurisdiction APPENDIX B Page 95

SUPREME COURT OF NEW JERSEY
C-65 September Term 2023
088197

State of New Jersey,

Plaintiff-Respondent,

v.

O R D E R

Douglas Manning,

Defendant-Petitioner.

A petition for certification of the judgment in A-000906-22
having been submitted to this Court, and the Court having considered the
same;

It is ORDERED that the petition for certification is denied.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this
19th day of September, 2023.


CLERK OF THE SUPREME COURT

Rg Appendix D Page as 5

SUPREME COURT OF NEW JERSEY
M-1200/1201 September Term 2022
088197

State of New Jersey,

Plaintiff,

v.

O R D E R

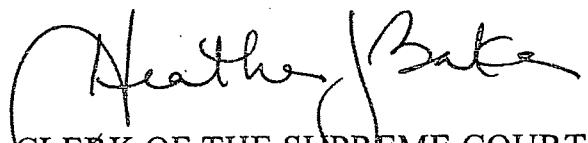
Douglas Manning,

Defendant-Movant.

It is ORDERED that the motion for leave to file a notice of petition for certification and a petition for certification as within time (M-1200) is granted; and it is further

ORDERED that the motion for leave to proceed as indigent (M-1201) is granted, limited to the filing fees in this matter only.

WITNESS, the Honorable Stuart Rabner, Chief Justice, at Trenton, this
31st day of July, 2023.


CLERK OF THE SUPREME COURT

e.g APPENDIX C Page 05



State of New Jersey

PHILIP D. MURPHY
Governor

SHEILA Y. OLIVER
Lt. Governor

OFFICE OF THE ATTORNEY GENERAL
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MATTHEW J. PLATKIN
Attorney General

DEREK NECECKAS
Acting Director

August 4, 2023

Honorable Chief Justice and Associate Justices
Supreme Court of New Jersey
Richard J. Hughes Justice Complex
Trenton, New Jersey 08625

Re: State v. Douglas Manning
Docket No. 088197
App. Div. Docket No. 000906-22

Your Honors:

This letter in lieu of brief is filed on behalf of the State in response to defendant's Petition for Certification in the above-captioned matter.

On November 30, 2022, defendant filed a Notice of Appeal to the Appellate Division claiming that he was serving an illegal sentence. There was no caption for the case in the NOA, and no judgment or order attached as being appealed. A deficiency notice was issued by the Appellate Division Clerk's Office and those deficiencies were cured.

On February 15, 2023, the Appellate Division, on its own motion, dismissed defendant's appeal for failure to prosecute. On April 25, 2023, defendant filed a notice of petition for certification and a petition for certification with the Supreme



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e.g Appendix D page AS 5



Court that were deficient. On July 10, 2023, defendant filed a Notice of Petition, Motion to file Notice of Petition as within time, Letter Petition for Certification, and Motion to proceed as an indigent. On July 31, 2023, the Court granted defendant's motion to file the petition for certification as within time.

The State was not involved in the proceedings in the Appellate Division and takes no position on the dismissal of his appeal by the Appellate Division. The State would simply note that defendant is not appealing from any order or judgment. It appears that there were no trial court proceedings from which to file an appeal and defendant is just complaining about his sentence.

Respectfully submitted,

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
ATTORNEY FOR PLAINTIFF-RESPONDENT

BY: /s/ Carol M. Henderson
Carol M. Henderson
Assistant Attorney General
Attorney No. 019281978
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c: Douglas A. Manning, pro se

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**Additional material
from this filing is
available in the
Clerk's Office.**