

SUPREME COURT OF NEW JERSEY

State of New Jersey v. Thomas J. DiNapoli

A-56-24 (090381) (N.J. May 12, 2026) · No. A-56-24 (090381) · Decided May 12, 2026

SUMMARY

The Supreme Court of New Jersey holds that a defendant’s proposed expert testimony concerning an intervening cause of death is relevant to causation under the first prong of N.J.S.A. 2C:2-3(c) in a vehicular homicide prosecution. The Court further holds that an N.J.R.E. 104 hearing is not required to determine the relevance or admissibility of the proposed expert testimony, and that inconsistencies among expert reports are for the jury to assess. The judgment of the Appellate Division is reversed and the matter is remanded.

CASE DETAILS

COURT	Supreme Court of New Jersey
WRITING FOR THE COURT	Justice Noriega; Chief Justice Rabner; Justice Patterson; Justice Pierre-Louis; Justice Wainer Apter; Justice Fasciale; Justice Hoffman
JURISDICTION	Supreme Court of New Jersey
DECIDED	May 12, 2026
DOCKET	A-56-24 (090381)
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State appealed from an Appellate Division order vacating a trial court order that denied the State's motion to preclude the defendant's proposed expert testimony and remanding for an N.J.R.E. 104 hearing. The Supreme Court granted leave to appeal and reversed.
STANDARD OF REVIEW	Evidentiary rulings receive limited appellate scrutiny, but interpretation of the law and the legal consequences flowing from established facts are reviewed without special deference; interpretation of N.J.S.A. 2C:2-3(c) is reviewed de novo.
PRECEDENTIAL VALUE	published
PARTIES	State of New Jersey v. Thomas J. DiNapoli

TOPICS

- criminal procedure
- evidence
- relevance
- expert testimony
- statutory interpretation

PRACTICE AREAS

criminal procedure

evidence

criminal law

statutory interpretation

QUESTIONS PRESENTED

1. Whether expert testimony challenging the causal connection between the defendant's reckless driving and the victim's death is relevant in a vehicular-homicide prosecution proceeding solely under prong one of N.J.S.A. 2C:2-3(c).
2. Whether a defendant may introduce evidence of an intervening cause under prong one even when the evidence does not dispute but-for causation.
3. Whether an N.J.R.E. 104 hearing is required to determine the relevance and admissibility of the proposed expert testimony.
4. Whether the State must disclose before trial which causation prong under N.J.S.A. 2C:2-3(c) it intends to pursue.

HOLDINGS

1. In a vehicular-homicide prosecution proceeding under prong one of N.J.S.A. 2C:2-3(c), expert testimony disputing whether the defendant's conduct resulted in a fatal automobile accident is relevant to whether the victim's actual death was within the risk of which the defendant was aware.
2. A defendant may introduce evidence challenging the causal chain advanced by the State under prong one, including evidence of an intervening cause, even if the evidence does not defeat but-for causation.
3. An N.J.R.E. 104 hearing is not necessary to determine the relevance of the proposed expert opinions where all experts offer testimony relevant to the prong-one causation inquiry; inconsistencies among their reports go to credibility and factual resolution for the jury.
4. When N.J.S.A. 2C:2-3(c) applies, the State must disclose the causation prong on which it will rely at the earliest possible stage, and no later than the pretrial conference.

KEY QUOTATIONS

"The defendant is not limited to theories that challenge "but for" causation but may also raise defenses to the additional elements of causation that the State must prove beyond a reasonable doubt under N.J.S.A. 2C:2-3(c)." (23)

"Accordingly, the defense is permitted to introduce evidence that challenges the causal chain advanced by the State under prong one, including evidence of an intervening cause." (26)

"It is the jury's responsibility to evaluate the "credibility of all of the evidence" and resolve factual disputes." (27)

"We therefore find that an N.J.R.E. 104 hearing is unnecessary and thus reverse the judgment of the Appellate Division." (28)

FACTUAL BACKGROUND

On June 4, 2019, Thomas DiNapoli drove across double yellow lines and collided head-on with another vehicle. The passenger, ninety-four-year-old Michelina Mele, had dementia and Alzheimer's disease and sustained fractures and lung contusions. After her family chose palliative or hospice care, she received opioid medication and died the following day. Three defense experts proposed that Mele would have survived the accident-related injuries and that palliative care or related narcotic treatment caused her death.

PROCEDURAL HISTORY

DiNapoli was indicted for vehicular homicide and related offenses after a fatal motor-vehicle accident. Before the second trial, the State moved to preclude three defense experts who would challenge the causal relationship between the accident and the victim's death. The trial court denied the motion and declined to require a pretrial N.J.R.E. 104 hearing. The Appellate Division vacated that order and remanded for a hearing. The Supreme Court reversed and remanded for proceedings consistent with its opinion.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The matter is remanded to the trial court to proceed in accordance with the opinion. The trial court must apply the Court's causation analysis, need not conduct an N.J.R.E. 104 hearing solely to determine the relevance of the proposed expert testimony, and must determine appropriate jury instructions under the applicable prong or prongs of N.J.S.A. 2C:2-3(c).

CASES CITED

- State v. Buckley, 216 N.J. 249 (2013)
- State v. Buda, 195 N.J. 278 (2008)
- State v. Handy, 206 N.J. 39 (2011)
- State v. Chambers, 252 N.J. 561 (2023)
- State v. Budis, 125 N.J. 519 (1991)
- State v. Wilson, 135 N.J. 4 (1994)
- State v. Hutchins, 241 N.J. Super. 353 (App. Div. 1990)
- State v. Coruzzi, 189 N.J. Super. 273 (App. Div. 1983)
- State v. Bowens, 108 N.J. 622 (1987)
- State v. Tate, 216 N.J. 300 (2013)
- State v. Eldridge, 388 N.J. Super. 485 (App. Div. 2006)
- State v. Lodzinski, 246 N.J. 331 (2021)
- State v. Pelham, 176 N.J. 448 (2003)
- State v. Parkhill, 461 N.J. Super. 494 (App. Div. 2019)
- State v. Martin, 119 N.J. 2 (1990)

- State v. Medina, 349 N.J. Super. 108 (App. Div. 2002)
- State v. States, 44 N.J. 285 (1965)
- United States v. Batchelder, 442 U.S. 114 (1979)
- State v. Johnson, 206 N.J. Super. 341 (App. Div. 1985)
- State v. Fuqua, 234 N.J. 583 (2018)
- State v. Cole, 229 N.J. 430 (2017)

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