

SUPERIOR COURT OF NEW JERSEY, APPELLATE DIVISION

State of New Jersey v. Carlene Harris and Norman A. Thomas 4th

State v. Harris · No. A-3395-24 · Decided March 5, 2026

SUMMARY

The New Jersey Appellate Division affirmed the suppression of evidence obtained under search warrants supported by a certification that repeatedly listed controlled-buy dates as occurring in 2022, rendering the information stale when the warrants issued in March 2023. The court held that the issuing judge and reviewing courts could not correct the dates as typographical errors or consider extrinsic evidence not presented in the warrant application.

CASE DETAILS

COURT	Superior Court of New Jersey, Appellate Division
WRITING FOR THE COURT	Berdote Byrne, J.A.D.; Currier, J.A.D.; Jablonski, J.A.D.
JURISDICTION	Superior Court of New Jersey, Appellate Division
DECIDED	March 5, 2026
DOCKET	A-3395-24
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed by leave from an interlocutory order denying reconsideration of an order suppressing evidence obtained through search warrants.
STANDARD OF REVIEW	Review of a suppression ruling is deferential as to factual findings supported by sufficient credible evidence, but legal interpretations and the consequences flowing from established facts are reviewed de novo. The probable-cause determination is limited to the information presented to the issuing judge within the four corners of the warrant application.
PRECEDENTIAL VALUE	Published and approved for publication by the New Jersey Superior Court, Appellate Division.
PARTIES	State of New Jersey v. Carlene Harris, Norman A. Thomas 4th

TOPICS

- suppression of evidence
- fourth amendment
- probable cause
- warrant requirement
- appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

search and seizure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the reviewing court could treat three dates in the warrant certification as typographical errors when nothing within the certification made the intended dates apparent.
2. Whether probable cause for the warrants could be established by considering extrinsic evidence or information not presented to the issuing judge.
3. Whether the 2022 dates rendered the information supporting the warrants stale and thereby required suppression of the seized evidence.
4. Whether the State was entitled to an evidentiary hearing under Rule 3:5-7(c) to prove that the certification contained erroneous dates.

HOLDINGS

1. A reviewing court may disregard an immediately apparent clerical error when the drafter's intended meaning is obvious, but it may not replace dates in a warrant certification when the alleged errors are not evident from the document and the dates are critical to probable cause.
2. A reviewing court must determine probable cause solely from the information presented to the issuing judge in the warrant application, generally limited to the four corners of the affidavit or certification and any contemporaneously recorded sworn testimony.
3. The certification did not establish probable cause because, read as written, it relied on two controlled buys occurring in February 2022, and probable cause cannot be based on stale information.
4. The State was not entitled to an evidentiary hearing to introduce extrinsic evidence proving that the certification's dates were wrong.

KEY QUOTATIONS

"We conclude the issuing judge had no basis to issue the warrants because nothing contained within the four corners of the certification indicated the dates were typographical errors." (2)

"Furthermore, we reject the State's argument that it is entitled to a Rule 3:5-7(c) hearing to introduce evidence not presented to the issuing judge to prove that Guzman wrote the wrong dates." (18)

FACTUAL BACKGROUND

A police certification supporting warrants for an apartment, a vehicle, and Thomas's person described an informant meeting and two controlled drug buys, but listed all three events as occurring in January and February 2022. The warrants were issued in March 2023, and officers seized heroin, cocaine, firearms, ammunition, and oxycodone. After defendants moved to suppress, the State asserted that the dates were typographical errors and offered police reports indicating that the events occurred in 2023.

PROCEDURAL HISTORY

Defendants moved to suppress evidence based on allegedly stale information in a warrant certification. The Ocean County Law Division suppressed the evidence, concluding that the certification's references to controlled buys in 2022 did not establish probable cause for warrants issued in March 2023. The court denied the State's reconsideration motion, declining to consider police reports offered to show that the dates were typographical errors. The Appellate Division granted leave to appeal and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Amang, 481 N.J. Super. 355, 374 (App. Div. 2025)
- State v. Nyema, 249 N.J. 509, 526 (2022)
- State v. Ahmad, 246 N.J. 592, 609 (2021)
- State v. Elders, 192 N.J. 224, 243 (2007)
- State v. Hubbard, 222 N.J. 249, 263 (2015)
- State v. Cohen, 254 N.J. 308, 319 (2023)
- State v. Camey, 239 N.J. 282, 298 (2019)
- State v. Moore, 181 N.J. 40, 46 (2004)
- Illinois v. Gates, 462 U.S. 213, 238 (1983)
- State v. Blaurock, 143 N.J. Super. 476, 479 (App. Div. 1976)
- Sgro v. United States, 287 U.S. 206, 210 (1932)
- United States v. Johnson, 461 F.2d 285, 287 (10th Cir. 1972)
- State v. Chippero, 201 N.J. 14, 26, 32 (2009)
- Schneider v. Simonini, 163 N.J. 336, 363 (2000)
- State v. Marshall, 199 N.J. 602, 611, 617 (2009)
- Whiteley v. Warden, Wyo. State Penitentiary, 401 U.S. 560, 565 n.8 (1971)
- State v. Daniels, 46 N.J. 428, 431-32, 434, 438-39 (1966)
- State v. Novembrino, 105 N.J. 95, 124, 129, 153 (1987)
- State v. Sager, 169 N.J. Super. 38, 45 (Law Div. 1979)
- State v. Smith, 212 N.J. 365, 388 (2012)
- United States v. Ventresca, 380 U.S. 102, 108-09 (1965)
- State v. Boone, 232 N.J. 417, 430-31 (2017)
- State v. Valencia, 93 N.J. 126, 134 (1983)
- State v. Macri, 39 N.J. 250, 265 (1963)