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February 26, 2013

Honorable Charles A. Delehey, R.J.S.C.
Burlington County Superior Court
49 Rancocas Rd
Mount Holly NJ 08060

Re: State v. Forchion
Ind 10-08-0866-I
System. 10-1082

Dear Judge Delehey:

Mr. Forchion is currently in the Burlington County Jail on a bench warrant issued by Your Honor for failing to report to probation. I am writing to Your Honor because I am concerned that Mr. Forchion did not understand that he was required to immediately report to probation. I am also very concerned that the prosecutor and probation acted precipitously and without informing counsel before seeking a warrant from Your Honor.

As you know, you had permitted hybrid representation of Mr. Forchion in this case. At the time of his sentencing, Mr. Forchion was very thankful that Your Honor decided to not sentence him to a period of incarceration. However, it was his understanding that he could request a reconsideration of Your Honor's sentence and that he had 30 days to do so. It was his intention to request that Your Honor reconsider the stay of his probationary sentence pending his appeal. He mistakenly thought he would not have to sign up for probation until Your Honor made a decision on his request.

Apparently, one or two days after sentencing when Mr. Forchion had not appeared at probation Mr. Luciano was contacted and he appeared before Your Honor