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 SUPERIOR COURT OF NJ
 MERCER VICINAGE
 CIVIL DIVISION

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION - MERCER COUNTY
 DOCKET NO. MER-L-

 STATE OF NEW JERSEY,

 Plaintiff,

 v.

 PHILIP D. ZACCHE,

 Defendant.

CIVIL ACTION

ORDER OF FORFEITURE OF PUBLIC
 OFFICE AND POSITION, PERMANENT
 DISQUALIFICATION FROM ANY
 POSITION OF PUBLIC HONOR, TRUST,
 OR PROFIT, AND FORFEITURE OF
 PENSION AND RETIREMENT BENEFITS

*AND DENIAL OF STAY
 PENDING APPEAL*

STATE OF NEW JERSEY:
 : SS
 COUNTY OF MERCER :

This action having been opened to this Court by Gurbir S. Grewal, Attorney General of New Jersey (Lauren Bonfiglio, Deputy Attorney General, appearing), for forfeiture of public office and position and permanent disqualification from public office, and forfeiture of all pension or retirement benefits earned as a member of any State or locally-administered pension fund or retirement system in which defendant, Philip D. Zacche, participated at the time of the commission of his crimes and which covered his position as a Jersey City police officer, and defendant having pleaded guilty in the United States District

Court for the District of New Jersey on January 5, 2018, to a federal information charging him with one count of knowingly and intentionally embezzling, stealing, obtaining by fraud, misapplying, and without authority knowingly converting to the use of other persons other than the rightful owner \$5,000 or more in money owned by, and under the care, custody, and control of, the Jersey City Housing Authority, in violation of 18 U.S.C. § 666(a)(1)(A), for which he was found guilty: (1) constituting an offense involving dishonesty; and (2) being equivalent to at least a third-degree crime under New Jersey law; and (3) being an offense that involved or touched upon his employment as a Jersey City police officer; and (4) constituting crimes substantially similar to crimes enumerated under N.J.S.A. 43:1-3.1b, e.g., theft by deception (N.J.S.A. 2C:20-4), false contract payment claims (N.J.S.A. 2C:21-34), acceptance or receipt of unlawful benefit by public servant for official behavior (N.J.S.A. 2C:27-10), tampering with public records or information (N.J.S.A. 2C:28-7), and official misconduct (N.J.S.A. 2C:30-2); *and for the reasons set forth on the record:*

IT IS ON THIS 27th day of June, 2019, ORDERED that Philip D. Zacche, forfeit any public employment, office, or position held by him, including but not limited to his position as a Jersey City police officer.

IT IS FURTHER ORDERED that Philip D. Zacche is forever disqualified from holding any office or position of honor,

trust, or profit under this State or any of its administrative or political subdivisions, pursuant to N.J.S.A. 2C:51-2d. The defendant further understands that if he makes any future application for public employment in violation of this Order, he will be subject to a charge under N.J.S.A. 2C:29-9a (fourth-degree contempt of court).

IT IS FURTHER ORDERED that Philip D. Zacche forfeit all pension or retirement benefits earned as a member of any State or locally-administered pension fund or retirement system in which defendant participated at the time of the commission of his crimes and which covered his positions as a Jersey City police officer, pursuant to N.J.S.A. 43:1-3.1a. The forfeiture of all pension and retirement benefits shall only apply to the employer's contributions pursuant to N.J.S.A. 43:15C-3b, and not the employee's contributions pursuant to N.J.S.A. 43:15C-3a, as determined by the New Jersey Division of Pensions and Benefits.

IT IS FURTHER ORDERED that the above forfeiture of public office and permanent disqualification from holding any public office or position, and order of forfeiture of all pension or retirement benefits earned, is deemed to have taken effect on January 5, 2018, the date defendant pleaded guilty to the federal information, unless and until Philip D. Zacche successfully overturns his federal conviction on appeal to the Circuit Court of Appeals for the Third Circuit or the Supreme Court of the United States.

IT IS FURTHER ORDERED that the oral application for a stay pending appeal made by Defendant Zacco's counsel after the court rendered its oral decision on June 27, 2019, is denied pursuant to N.J.S.A. 43:1-3.1 ~~(d)~~ (d)

Mary C. Jacobson, J.S.C.
Hon. Mary C. Jacobson, A.J.S.C.

as the court found that, in light of its decision, there was no substantial likelihood of success on the merits, as explicitly required by N.J.S.A. 43:1-3.1 (d).