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PASSARELLI RESENTENCED TO 35 YEARS IN STATE PRISON

Hunterdon County Prosecutor Anthony P. Kearns, III, announced the resentencing of Gary Passarelli, age 45, formerly of North Plainfield, NJ, for the 2013 murder of John H. Niko. The resentencing took place on January 17, 2019 and was presided over by the Honorable Judge Angela F. Borkowski, J.S.C.

On May 31, 2013, Raritan Township Patrol Officers found the body of Mr. Niko while conducting a welfare check at his residence after he failed to show up for work. The Hunterdon County Medical Examiner determined the cause of death as blunt force trauma to the head and chest and multiple sharp force injuries. A joint investigation by the Hunterdon County Prosecutor's Office and the Raritan Township Police Department resulted in the arrest of Gary Passarelli.

On November 9, 2015, a Hunterdon County Jury found Mr. Passarelli guilty of first-degree murder, second-degree possession of a weapon for unlawful purpose, and third-degree possession of a controlled dangerous substance. Mr. Passarelli was sentenced on February 19, 2016, by Judge Borkowski to 60 years in State Prison.

The conviction and sentence was appealed, and on December 17, 2018, the Superior Court of New Jersey, Appellate Division, upheld the conviction, but reversed and remanded the judge's sentencing decision, ordering that the trial court consider the defendant's age at his earliest possible release date. Assistant Prosecutor David P. Culley vigorously argued against the resentencing, but ultimately Judge Borkowski resentenced Mr. Passarelli to 35 years in state prison with 30 years of parole ineligibility.

Prosecutor Kearns commented on the sentence, providing that "we are not satisfied with the reduction in Mr. Passarelli's sentence and find it insufficient in light of this heinous murder. Our hearts go out in sympathy to the family and friends of the deceased."

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