



Court: Guns, ammo illegally seized from Bergen abortion doc

by [Jerry DeMarco](#) 10/08/2009



Photo Credit: *Cliffview Pilot*

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Police who found a massive stockpile of guns and ammo in a retired abortion doctor's home didn't have the right to be poking around in the first place, a state appeals court has ruled. The reason: a blunder by the court system, the New Jersey judges said.

Officers from Ridgefield found an elderly, disoriented Elizabeth Raymond walking the streets on Memorial Day 2005. When they brought her home, they said, they spotted "several unsecured gun cases containing long guns inside."

What happened next wasn't warranted (no pun intended), the appeals court said.

The officers — who already knew that 82-year-old **Sherwin H. Raymond** was an avid gun collector — searched the house, discovering more rifles in the basement.

They also said they found gun powder stored in open coffee cans near the boiler and water heater.

When the man they called “Doc Raymond” got home, they found a gun case and several boxes of ammunition after he allowed them to search his car. They said they also found ammo in four other cars he owns, as well as in the garage.

By the time they were through, police said they collected nearly 500 weapons, from handguns to AK-47s, along with more than 100,000 rounds of ammunition and 800 pounds of black gun powder.

Fearing that an explosion could level the entire neighborhood, police summoned PSE&G to turn off the gas and brought in the Bergen County Bomb Squad, as well as the National Guard.

A squadron of heavily armed police descended on the house and secured the arsenal. Local police arrested Raymond and charged him with several crimes, then began removing the weapons the next day.

There was only one problem, according to the appeals court.

It wasn't until that next day, at 1:30 p.m., that a Ridgefield detective went to the law office of Michael S. Shuhala, the municipal judge in neighboring Cliffside Park, after he had “unsuccessfully attempted to contact” his own borough's judge.

A little more than an hour later, Shuhala faxed a signed search warrant to Ridgefield police.

Shuhala himself knew he was “not authorized to permit a search in the municipality in question,” the appeals judges wrote, in a decision released this week.

Although he was appointed as a backup in the absence of Ridgefield's Municipal Judge on Jan. 1, 2004, as well as on Jan. 1, 2006, the same order was not issued out of Superior Court in Hackensack for 2005.

On the warrant, Shuhala initially wrote: “Complaint on oath and in writing having been made before me, the Judge of the Municipal Court of the Borough of Ridgefield, New Jersey, County of Bergen, on this 31st day of May 2005” He then “struck the word ‘Ridgefield’ and wrote ‘Cliffside Park’ above it.

He signed the document “Judge Municipal Court Cliffside Park” rather than “Acting Municipal Judge Ridgefield,” the appeals judges noted.

A grand jury later indicted Raymond on charges of causing risk or damage, unlawful possession of a sawed-off shotgun, and illegal possession of an ammo cartridge.

Raymond’s lawyer tried to have the evidence suppressed, arguing that Shuhala’s order held no authority. But a Superior Court judge in Hackensack denied the request and Raymond ended up pleading guilty to a lesser count, which got him probation.

It was a break, of sorts, for Raymond, who already had pleaded guilty to having an unregistered machine gun 25 years earlier — and who also spent three years in prison for conducting illegal abortions.

Now 86 years old, Raymond appealed, arguing that the search was based on a worthless piece of paper. The appeals judges agreed.

“A search warrant issued by a municipal judge who is not expressly authorized to permit a search outside that judge’s territorial jurisdiction is invalid,” they wrote in their decision.

However, they rejected Raymond’s argument that the weapons and ammo spotted by the officers weren’t contraband. So even though the search was deemed illegal, Raymond apparently isn’t getting his guns back.