

NOT FOR PUBLICATION WITHOUT THE  
APPROVAL OF THE APPELLATE DIVISION

SUPERIOR COURT OF NEW JERSEY  
APPELLATE DIVISION  
DOCKET NO. A-2415-14T3

IN THE MATTER OF RAHMAN  
KEITH IDLETT.

---

Submitted April 25, 2016 – Decided May 12, 2016

Before Judges Sabatino and Accurso.

On appeal from Superior Court of New Jersey,  
Law Division, Middlesex County.

Rahman Keith Idlett, appellant pro se.

Andrew C. Carey, Middlesex County  
Prosecutor, attorney for respondent State of  
New Jersey (Brian D. Gillet, Deputy First  
Assistant Prosecutor, of counsel and on the  
brief).

PER CURIAM

Rahman Keith Idlett appeals from the trial court's February 3, 2015 order denying his application for a permit to carry a handgun. The court determined that issuance of a carry permit to Idlett was against the interest of the public health, safety and welfare, N.J.S.A. 2C:58-4d and 2C:58-3c(5), based on his "atrocious" driving record over the course of fifteen years, notwithstanding the approval of Idlett's application by Perth Amboy's chief of police. Because Idlett does not contest the

particulars of his driving record or explain why the court erred in finding the extent and nature of his motor vehicle infractions disqualifying under the law, we affirm.

The trial court reviewed Idlett's driving record over the fifteen years he had been licensed to drive and found fifteen suspensions. The court also noted sixteen speeding tickets, two careless driving citations, three citations for either obstructing the passage of other vehicles or delaying traffic, a ticket for failure to observe a traffic control device, two accidents, four citations for either unsafe or improper operation, four citations for driving while his license was suspended, two tickets for driving without a license, two failures to appear in court, two failures to pay an insurance surcharge and a citation for displaying fictitious plates issued in 2014.

After reviewing that record, Judge Rea concluded Idlett's "was one of the worst driving records I think I have ever seen" among those applying for gun permits. The judge found that "having a driving record this atrocious consistently, over a long period of time, says a lot about a person and their respect for the law and their ability to comport themselves appropriately within legal boundaries." The judge concluded Idlett's record "demonstrates a certain – obvious disregard for

our motor vehicle laws." Although acknowledging that none of Idlett's motor vehicle violations is per se disqualifying, the judge found Idlett's flagrant disregard of the State's motor vehicle safety statutes over fifteen years militated against entrusting him "with carrying a weapon and what comes along with that . . . [t]he ability to use deadly force." He accordingly determined that allowing Idlett a carry permit "would fly in the face of the public health, safety and welfare" and denied the application.

Idlett appeals, contending the court erred in denying him the permit as he has "provided sufficient reason for the application<sup>[1]</sup> as well as met all qualifications." As the parties do not dispute the underlying facts, the issue presented, whether the court erred in denying a carry permit to Idlett under the health and safety exception, is a legal one, and our review is plenary. See In re Firearms Pur. I.D. by Z.K., 440 N.J. Super. 394, 397 (App. Div. 2015).

The public health, safety, and welfare "provision is 'intended to relate to cases of individual unfitness, where,

---

<sup>1</sup> The trial court did not address whether Idlett had established "justifiable need" for a carry permit as a result of his employment by a licensed private security company. See In re Preis, 118 N.J. 564, 576-77 (1990); In re Wheeler, 433 N.J. Super. 560, 613 (App. Div. 2013). Accordingly, we do not address the issue here.

though not dealt with in the specific statutory enumerations, the issuance of the permit or identification card would nonetheless be contrary to the public interest.'" In re Osworth, 365 N.J. Super. 72, 79 (App. Div. 2003) (quoting Burton v. Sills, 53 N.J. 86, 91 (1968), appeal dismissed, 394 U.S. 812, 89 S. Ct. 1486, 22 L. Ed. 2d 748 (1969)). We have elsewhere noted that "the statutory design is to prevent firearms from coming into the hands of persons likely to pose a danger to the public." State v. Cunningham, 186 N.J. Super. 502, 511 (App. Div. 1982).

Here, the trial court determined on the basis of an undisputed record that Idlett's flagrant and repeated disregard of the State's motor vehicle laws over the entire fifteen-year period in which he possessed a New Jersey driver's license, demonstrated him unfit under the health and safety exception of N.J.S.A. 2C:58-3c(5). Although contending the court erred in that conclusion, Idlett does not explain why. Indeed, he does not address in his brief the court's findings or his driving record at all. We thus deem any claim of error waived. See Weiss v. Cedar Park Cemetary, 240 N.J. Super. 86, 102-03 (App. Div. 1990) (holding appellant's failure to adequately brief an issue raised requires it to be dismissed as waived).

Because we are satisfied that Judge Rea's conclusion that issuance of a carry permit to Idlett in light of his "atrocious" driving record, which included not only fifteen suspensions but several instances of driving while suspended as well as the display of fictitious plates only months before he submitted his permit application, is in accord with well-settled law, and Idlett has provided us with no basis to reverse the court's conclusion, we affirm Judge Rea's refusal to issue the carry permit. See In re Pantano, 429 N.J. Super. 478, 485-86 (App. Div.), certif. granted, 214 N.J. 234 (2013), appeal dismissed as improvidently granted, \_\_\_ N.J. \_\_\_ (2014).

Affirmed.

I hereby certify that the foregoing  
is a true copy of the original on  
file in my office.



CLERK OF THE APPELLATE DIVISION