

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT MERRIMACK SUPERIOR

Pamela Smart

2026 MAR 23 A 11: 12

v.

State of New Hampshire, et al.

Case No. 217-2026-CV-00014

AFFIDAVIT OF ANTHONY J. GALDIERI
IN SUPPORT OF RESPONDENTS' MOTION TO DISMISS PETITIONER'S PETITION
FOR A WRIT OF HABEAS CORPUS

I, Anthony J. Galdieri, Esq., being over the age of 18, do swear as follows:

1. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit A** is a true and correct copy of petitioner's Notice of Appeal (Rule 7) filed in her New Hampshire Supreme Court appeal (Docket No. 91-239), received by the New Hampshire Supreme Court on June 5, 1991.

2. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit B** is a true and correct copy of petitioner's Supplemental Notice of Appeal filed in her New Hampshire Supreme Court appeal (Docket No. 91-239), received by the New Hampshire Supreme Court on November 8, 1991.

3. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit C** is a true and correct copy of the trial court's Order On Motion In Limine Re: Enhancement Of Tapes, dated January 22, 1991, issued in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 71, 72, Rockingham County Superior Court.

4. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit D** is a true and correct copy of Volume XV, titled Transcript of Trial

Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

5. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit E** is a true and correct copy of Volume XVI, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

6. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit F** is a true and correct copy of Volume XIX, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

7. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit G** is a true and correct copy of Volume IX, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

8. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit H** is a true and correct copy of Volume XVIII, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

9. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit I** is a true and correct copy of Volume XII, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

10. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit J** is a true and correct copy of Volume XIII, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

11. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit K** is a true and correct copy of Volume I, titled Transcript of General Jury Instructions and Motion re Press Coverage, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

12. Attached to the respondents' memorandum of law in support of their motion to dismiss as **Exhibit L** is a true and correct copy of Volume XX, titled Transcript of Trial Proceedings, of the transcripts of the petitioner's jury trial in *State of New Hampshire v. Pamela Smart*, 90-S-1370, 90-S-1371, 90-S-1372, Rockingham County Superior Court, as it exists in the New Hampshire Department of Justice's electronic file.

FURTHER THE AFFIANT SAYETH NAUGHT.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Date: March 20, 2026



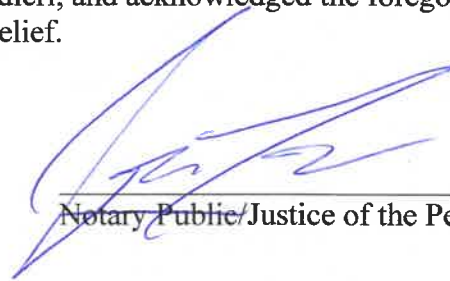
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THE STATE OF NEW HAMPSHIRE

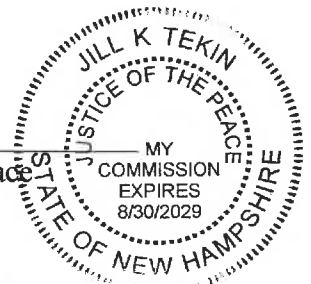
COUNTY OF MERRIMACK

Before me, personally appeared Anthony J. Galdieri, and acknowledged the foregoing to be true and accurate to the best of her knowledge and belief.

Dated: March 20, 2026



Notary Public/Justice of the Peace



CERTIFICATE OF SERVICE

I, Anthony J. Galdieri, hereby certify that I am emailing a copy of this affidavit to petitioner's counsel this day consistent with an agreement between the parties for email service of such court filings.

March 23, 2026

/s/ Anthony J. Galdieri
Anthony J. Galdieri