

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
Northern District

SUPERIOR COURT
SEPTEMBER TERM 2022

State of New Hampshire

v.

Adam Montgomery

Case Nos. 216-2022-CR-00020
216-2022-CR-00577

STATE'S RESPONSE TO DEFENDANT'S MOTION FOR *GIGLIO* MATERIAL

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and hereby responds to the defendant's Motion for *Giglio* Material, and sets forth as follows:

1. The State recognizes and will comply with its obligations pursuant to *Brady v. Maryland*, 373 U.S. 83 (1963), and *Giglio v. United States*, 405 U.S. 150 (1972), regarding potential state witnesses should they have been given any consideration from a different State agency other than the New Hampshire Department of Justice or the Manchester Police Department.
2. After the defendant's pleading, the State begun its inquiry with any known State agencies regarding any *Giglio* materials for the witnesses listed in the defendant's pleading, and will provide them once received and/or under appropriate protection orders if necessary.
3. The State disagrees with the defendant's assertions that these witnesses will be those that the State "heavily relies" on, or that they "likely received consideration from the State." These statements are made without sufficient basis within the defendant's pleading.

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court:

- (A) Grant such relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella
Attorney General

Date: September 16, 2022

/s/ Benjamin J. Agati
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CERTIFICATE OF SERVICE

I hereby certify that on this date a copy of the foregoing was sent to counsel for the defendant via the electronic case filing system.

/s/ Benjamin J. Agati
Benjamin J. Agati
Senior Assistant Attorney General