

Clerk's Notice of Decision
Document Sent to Parties

on 02/24/2022

STRAFFORD, SS

SUPERIOR COURT
DOCKET NO. 219-2022-CR-00064
DOCKET NO. 219-2022-CR-00068

THE STATE OF NEW HAMPSHIRE

v.

MAURICIO GUERRERO

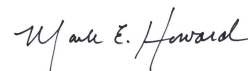
MOTION TO CORRECT RECORD

NOW COMES, the Defendant, Mauricio Guerrero, by and through his Attorney, Harry N. Starbranch, who respectfully moves this Honorable Court to correct the record.

As grounds for this Motion, your Defendant sets forth the following:

1. The Defendant is charged in two felony complaints charging Burglary, (class A felony). The Defendant in this matter exercised his right to an evidentiary hearing on the issue of Preventative Detention. Accordingly, this Honorable Court scheduled and presided over an Evidentiary Bail Hearing on today's date, February 18, 2022.
2. During the cross of the Investigating Detective, undersigned counsel had the witness identify and subsequently admitted as a full exhibit a photograph of the alleged victim in this matter. Defense counsel represented to the court that the picture and brief Bio were from the web site "only fans". The photo was in fact a picture of the alleged victim; however, it was obtained from another web site "Backstage".
3. As part of the relevancy of the photo was its source, the Defendant does not object if this Honorable Court reconsiders the exhibit's admissibility,

Motion to Correct Record is granted. Since the photo and bio are not from the website at issue in this case, the evidence is not relevant and the exhibits are stricken. So Ordered.



Honorable Mark E. Howard
February 18, 2022

WHEREFORE, your Defendant moves that this Honorable Court Grant the following relief:

- A) That this Honorable Court grant your Defendant's Motion to Correct the Record; and;
- B) That the Record be corrected to excise the representation that the picture and bio originated from "only fans"
- C) Reconsider its ruling as to the admission of the picture, and;
- D) Any such other and further relief as may be deemed just and proper.

Respectfully submitted,
Mauricio Guerrero,
By and Through his Attorney,
Harry N. Starbranch

Dated: February 18, 2022

/s/ Harry Starbranch
Harry N. Starbranch
NH Bar No. 6991
171 Middle Street
Portsmouth, NH 03801
(603) 436-5566

CERTIFICATE OF SERVICE

I, Harry N. Starbranch, Jr., Esq., hereby certify that a true copy of the foregoing **Motion To Correct Record** has this date been served upon the Petition through ECF: Emily Garod, Esq., Strafford County Attorney's Office.

Dated: February 18, 2022

By: /s/ Harry Starbranch
Harry N. Starbranch, Jr., Esq.