

THE STATE OF NEW HAMPSHIRE

COOS COUNTY, SS

JUNE TERM, 2022

SUPERIOR COURT

State of New Hampshire

v.

Volodymyr Zhukovskyy

214-2019-CR-00078

2022 JUN 14 4:11:52
CLERK OF SUPERIOR COURT


**PETITION FOR ISSUANCE OF CERTIFICATE TO SUMMON PERSON AS A
GRAND JURY WITNESS FROM WITHOUT THE STATE OF NEW HAMPSHIRE
UNDER THE PROVISIONS OF RSA CHAPTER 613**

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General and the Coos County Attorney, and respectfully requests that this Honorable Court issue a certificate pursuant to RSA 613:3 for the attendance of a necessary and material witness to testify during trial proceedings related to State v. Volodymyr Zhukovskyy in Lancaster, NH: Chris Morris, Carrier Concepts LLC, 2147 Buechel Bank Rd, Louisville, KY 40218.

In support of this petition, the State submits the following:

1. The Attorney General's Office and the Coos County Attorney's Office are currently conducting a criminal investigation into a motor vehicle crash resulting in multiple fatalities, which occurred on June 21, 2019, in Randolph, New Hampshire.
2. As part of the investigation, the following information was developed: On the evening of June 21, 2019, the defendant drove a black 2016 Dodge Ram 2500 truck which was pulling an unladen trailer Westbound on Route 2 in Randolph, New Hampshire. The defendant caused a collision with multiple motorcycles traveling in the Eastbound lane. The collision resulted in the deaths of seven people, and injured at least

6/15/22 Granted.



Peter H. Bornstein
Presiding Justice

three additional people. The defendant has been charged with seven counts of manslaughter, and numerous other charges.

3. The State's investigation has revealed that Chris Morris has information relative to the events leading up to, during, and immediately after the collision involving the defendant that warrant his being called to testify at trial as a material witness.

4. Chris Morris is an employee of Carrier Concepts, LLC. Carrier Concepts, LLC is a federal motor carrier safety regulation compliance agency that assists motor carriers in understanding and defending against federal audits and Title 49 laws.

5. Chris Morris is a resident of the State of Kentucky, with his place of employment at Carrier Concepts LLC, 2147 Buechel Bank Rd, Louisville, KY 40218.

6. The State of Kentucky has made provision for commanding persons within its borders to attend and testify in criminal actions, prosecutions and other pending criminal proceedings. *See* Kentucky Revised Statutes 421.360 (2008).

7. Accordingly, under the provisions of the Uniform Act to Secure the Attendance of Witnesses from Without a State in Criminal Proceedings, this Court is authorized to issue a certificate for presentation to a judge or magistrate in the State of Kentucky having jurisdiction over Chris Morris in order to secure his attendance for trial proceedings in this matter. *See* RSA 613:3.

8. The presence of Chris Morris is required at the Coos County Superior Court in Lancaster, New Hampshire, on July 19, 2022, and for as many days thereafter as are necessary to complete his testimony.

9. Under the provisions of RSA 613:4, Chris Morris, while appearing in this State in compliance with the requested summons, is afforded protection from arrest and the service of civil and criminal process in connection with matters which arose prior to its entrance into this State under the summons.

9. A proposed Certificate and supporting Affidavit accompany this petition.

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court, acting under the provisions of RSA Chapter 613, issue a Certificate to be presented to the Judge of a Court of Record having jurisdiction over Chris Morris for his appearance before trial at Coos County Superior Court, located at 55 School Street, Lancaster, NH 03584, on July 19, 2022, and for as many days thereafter as are necessary to complete its testimony.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella
Attorney General

June 14, 2022

/s/ Joshua Speicher
Joshua L. Speicher
N.H. Bar ID: 273020
Assistant Attorney General
Office of the Attorney General
33 Capitol Street
Concord, N.H. 03301-6397
(603) 271-3671

THE STATE OF NEW HAMPSHIRE

SUPERIOR COURT

State of New Hampshire

v.

Volodymyr Zhukovskyy

214-2019-CR-00078

2022 JUN 14 AM 11:52
COOS COUNTY CLERK

AFFIDAVIT

I, Joshua L. Speicher, being duly sworn, do depose and state as follows:

1. I am an Assistant Attorney General with the Criminal Justice Bureau of the Office of the Attorney General. I have been assigned to the investigation of this matter along with Assistant Attorney General Scott Chase and Coos County Attorney John McCormick.

2. The Attorney General's Office and the Coos County Attorney's Office are currently conducting a criminal investigation into a motor vehicle crash resulting in multiple fatalities, which occurred on June 21, 2019, in Randolph, New Hampshire. As part of the investigation, the following information was developed: on the evening of June 21, 2019, the defendant drove a black 2016 Dodge Ram 2500 truck which was pulling an unladen trailer Westbound on Route 2 in Randolph, New Hampshire. The defendant caused a collision with multiple motorcycles traveling in the Eastbound lane. The collision resulted in the deaths of seven people. The defendant has been charged with seven counts of manslaughter, and numerous other charges.

3. The State's investigation has revealed that Chris Morris has information relative to the events leading up to, during, and immediately after the collision involving the defendant that warrant his being called to testify at trial as a material witness.

4. Chris Morris is an employee of Carrier Concepts, LLC. Carrier Concepts, LLC is a federal motor carrier safety regulation compliance agency that assists motor carriers in understanding and defending against federal audits and Title 49 laws.


5. Chris Morris is a resident of the State of Kentucky, with his place of employment at Carrier Concepts LLC, 2147 Buechel Bank Rd, Louisville, KY 40218.

6. The State of Kentucky has made provision for commanding persons within its borders to attend and testify in criminal actions, prosecutions and other pending criminal proceedings. *See* Kentucky Revised Statutes 421.360 (2008).

7. Chris Morris's presence is required before trial in this matter on Tuesday, July 19, 2022, at the Coos County Superior Court, located at 55 School Street, Lancaster, NH 03584, for as many days thereafter as are needed to complete its testimony.

/s/ Joshua L. Speicher
Joshua L. Speicher
N.H. Bar ID:
Assistant Attorney General
Criminal Justice Bureau
33 Capitol Street
Concord, N.H. 03301-6397
(603) 271-3671

Subscribed and sworn-to before me this 14th day of June, 2022.


Annie M. Gagne
Annie M. Gagne
Justice of the Peace
My commission expires: February 17, 2026

THE STATE OF NEW HAMPSHIRE

COOS COUNTY, SS

JUNE TERM, 2022

SUPERIOR COURT

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COOS COUNTY SUPERIOR COURT

**CERTIFICATE PURSUANT TO N.H. STAT. ANN CHAPTER 613 TO SUMMON
WITNESS LOCATED OUTSIDE THE STATE OF NEW HAMPSHIRE**

To any Judge of a Court of Record in the State of Kentucky, having jurisdiction over Chris Morris, Carrier Concepts LLC, 2147 Buechel Bank Rd, Louisville, KY 40218, greetings:

This matter has come before this Court on a Petition by the State of New Hampshire requesting that a certification issue pursuant to the Uniform Act to Secure Witnesses from Without a State in Criminal Proceedings. *See* Kentucky Revised Statutes 421.360 (2008). The State of New Hampshire wishes to obtain certain testimony from Chris Morris, who is currently employed at Carrier Concepts LLC, 2147 Buechel Bank Rd, Louisville, KY 40218, County of Jefferson, in the State of Kentucky. The Court hereby certifies the following:

1. Trial in the above stated matter is set to begin on Tuesday, July 19, 2022.
2. On or about May 3, 2022, a subpoena was issued requiring that Chris Morris testify before a jury trial in the Coos County Superior Court, located at 55 School Street, Lancaster, NH 03584. A copy of the subpoena is attached hereto.
3. The above-mentioned testimony of Chris Morris is necessary and material to aid the jury in the trial of State v. Volodymyr Zhukovksyy. It is anticipated that the

presence of this witness will be required in New Hampshire for no more than 1 day, however the State of New Hampshire will attempt to narrow the timeframe closer to the commencement of evidence.

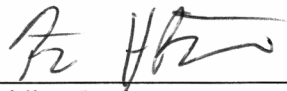
4. The State of New Hampshire, by New Hampshire Revised Statutes Annotated chapter 613, has made provision for commanding persons residing in other states to attend and testify in criminal proceedings in the State of New Hampshire.

5. At any time Chris Morris is in the State of New Hampshire under orders issued in reliance on this certificate, she will not be subject to arrest or service of process, civil or criminal, because of any act committed by it prior to its arrival in this State under the order. *See* N.H. RSA 613:4.

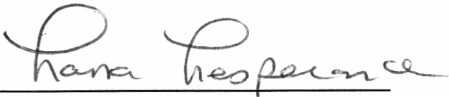
6. The State of New Hampshire seeks an order requiring Chris Morris to appear for a jury trial in the above captioned matter in Coos County Superior Court, located at 55 School Street, Lancaster, NH 03584, for no more than 1 day commencing at **9:00 a.m. on Tuesday, July 19, 2022.**

7. This Court is prepared to enter an order directing compliance with all reasonable terms and conditions prescribed by a court of record of the State of Kentucky having jurisdiction over Chris Morris regarding its appearance in New Hampshire as a witness in the above captioned matter.

Date: 6/15/22


Peter H. Bornstein
Presiding Justice




Lana Lesperance, Deputy Clerk
Coos County Superior Court

THE STATE OF NEW HAMPSHIRE

COOS COUNTY, SS

MAY TERM, 2022

SUPERIOR COURT

State of New Hampshire

v.

Volodymyr Zhukovskyy

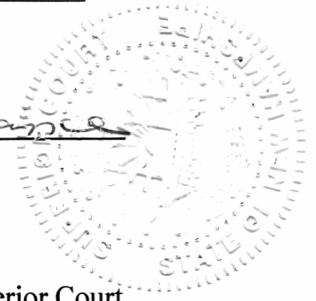
214-2019-CR-00078

CERTIFICATION AS TO THE IDENTITY OF THE JUDGE AND OF THE CLERK

I, Lana Lesperance, Deputy Clerk of the Coos County Superior Court, State of New Hampshire, do hereby certify that Peter H. Bornstein, was at the time of the issuance of the Certificate attached hereto a duly appointed, qualified and acting Judge of the Superior Court of the County of Coos, State of New Hampshire, and authorized under the laws of the State of New Hampshire to administer oaths, take affidavits, issue certificates, and issue subpoenas, that the said Peter H. Bornstein is a Judge of the Superior Court of the said County and State, which is a Court of Record having a seal, and full faith and credit is due his/her official acts as such, and that the signature affixed to the Certificate is the genuine signature of the above-named Judge.

_____ In witness whereof, I have hereunto set my hand and have affixed the seal of the Superior Court of the County of Coos, State of New Hampshire, this 15th day of June, 2022.

Signed: Lana Lesperance
Lana Lesperance, Deputy Clerk
Coos County Superior Court

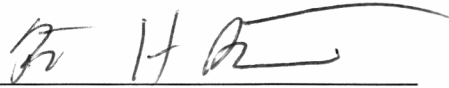


I, Peter H. Bornstein, Justice of the Superior Court of Coos County, State of New Hampshire, do hereby certify that Lana Lesperance, now is

the Deputy Clerk of the Coos County Superior Court, State of New Hampshire, which is a Court of Record having a seal, and that full faith and credit are due his official acts as such, that the signature to the foregoing Certificate and attestation is the genuine signature of said Lana Lesperance, as such officer; that the seal annexed is the seal of said Superior Court, that the said Lana Lesperance, as such Clerk is the proper officer to execute said certificate and attestation, and that such attestation is in due form according to the laws of the State of New Hampshire.

In witness whereof, I have hereunto set my hand this 15th day of June, 2022.

Peter H. Bornstein
Presiding Justice

Signed 
Justice, Superior Court, State of New Hampshire County of Coos, SS.

