

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
SUPERIOR COURT

Merrimack County

Merrimack Superior Court

**State v. Anna Barbara Hantz Marconi**

**217-2024-CR-01167**

ORDER

The Court has reviewed putative intervenor Brock-Alan Woodward-Griffith's "Ex Parte Motion for Immediate Stay in Preservation of Proposed Intervenor's Rights and Appeal"; the objections by the parties; and Mr. Griffith's reply. Docs. 96, 99, 100, 102. As explained briefly below, the motion is DENIED.

First, the Court agrees with the parties that Mr. Griffith has no right to intervene in the case. His arguments now largely repeat arguments already rejected.

Second, the Court is aware that Mr. Griffith has appealed the Court's most recent ruling denying him status in the case. Relying on the Comments to Supreme Court Rule 7-A and Rautenberg v. Munnis, 107 N.H. 445 (1966), Mr. Griffith argues that his appeal regarding intervention divests this Court of the authority to do anything in the underlying case. His reliance is misplaced.

The Rautenberg decision outlined a trial court's scope of authority after the filing of an appeal:

An appeal to [the supreme court] from a [trial court] court does not necessarily stay all further proceedings in the trial court, nor does it strip said court of all power over the proceeding in which the appeal has been taken. The trial court may act with

reference to matters not relating to the subject matter of, or affecting, the proceeding; make such orders and decrees as may be necessary for the protection and preservation of the subject matter of the appeal; and it may do anything that may be necessary for the presentation of the case in this Court, or in furtherance of the appeal. . . . After the appeal has been perfected, this Court is vested with the exclusive power and jurisdiction over the subject matter of the proceedings, and the authority and control of the lower court with reference thereto are suspended.

107 N.H. at 447. Here, the reasoning behind Mr. Griffith's motion to intervene — to obtain information, in particular grand jury evidence — is distinct from the merits of the criminal charges against the Defendant. The Rautenberg Court noted further that this general rule “does not prohibit the Trial Court from passing on collateral, subsidiary or independent matters affecting the case and the Trial Court has adequate authority and jurisdiction to preserve the status quo.” Id. at 448. Because the merits of the Defendant's criminal charges are independent from Mr. Griffith's motivation to intervene, the Court retains jurisdiction under Rautenberg.

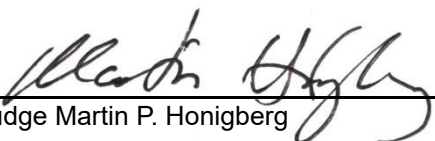
Third, letting the case proceed at this time — even all the way to trial — does not prejudice Mr. Griffith. If the Court is wrong and he is properly a party for the limited purpose of obtaining certain information, he can get that information after his appeal is resolved. Also, he can seek a stay from the supreme court following this Court's denial of his request. See N.H. Sup. Ct. R. 7-A(1).

Finally, the Court shares the parties' frustration with Mr. Griffith's conduct but will not take any action against him at this time. As a member of the public, he has the same rights as anyone else to observe legal proceedings. At the same time, he has no more rights than any other member of the public and the Court will not allow him to disrupt the case.

For the foregoing reasons, the “Ex Parte Motion for Immediate Stay in Preservation of Proposed Intervenor's Rights and Appeal” is DENIED

So ordered.

June 27, 2025  
Date

  
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Judge Martin P. Honigberg