

THE STATE OF NEW HAMPSHIRE

JUDICIAL BRANCH

<https://www.courts.nh.gov>

RULE 7 NOTICE OF DISCRETIONARY APPEAL

This form should be used only for an appeal from a final decision on the merits issued by a superior court or circuit court in (1) a post-conviction review proceeding; (2) a proceeding involving the collateral challenge to a conviction or sentence; (3) a sentence modification or suspension proceeding; (4) an imposition of sentence proceeding; (5) a parole revocation proceeding; (6) a probation revocation proceeding; (7) a landlord/tenant action or a possessory action filed under RSA chapter 540; (8) an order denying a motion to intervene; or (9) a domestic relations matter filed under RSA chapters 457 to 461-A, except that an appeal from the first final order should be filed on a Rule 7 Notice of Mandatory Appeal form.

1. COMPLETE CASE TITLE AND CASE NUMBERS IN TRIAL COURT

STATE OF NEW HAMPSHIRE v. ANNA BARBARA HANTZ MARCONI
Case No. 217-2024-CR-01167

2. COURT APPEALED FROM AND NAME OF JUDGE(S) WHO ISSUED DECISION(S)

Merrimack County Superior Court
Hon. Martin P. Honigberg

3A. APPEALING PARTY: NAME, MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER.

Brok-Alan Woodward-Griffith, Intervenor

471 Silver Street
#105
Manchester, NH, 03103

E-Mail address: **brokgrf@gmail.com**

Telephone number: **(603) 325-0749 ext**

3B. APPEALING PARTY'S COUNSEL: NAME, BAR ID NUMBER, FIRM NAME, MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER.
PRO SE - PLEASE SEE 3A

E-Mail address: _____

Telephone number: _____

4A. OPPOSING PARTY: NAME, MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER.

State of New Hampshire, Attorney General

1 Granite Place South
Concord, NH, 03301

E-Mail address: **joe.m.fincham@doj.nh.gov**

Telephone number: **(603) 271-3671 ext**

4B. OPPOSING PARTY'S COUNSEL: NAME, BAR ID NUMBER, FIRM NAME, MAILING ADDRESS, E-MAIL ADDRESS, AND TELEPHONE NUMBER.

Joe Fincham, #273596

Dan Jimenez #273604

1 Granite Place South
Concord, NH, 03301

E-Mail address: **dan.a.jimenez@doj.nh.gov**

Telephone number: **(603) 271-3671 ext**

RULE 7 NOTICE OF DISCRETIONARY APPEAL

5. NAMES OF ALL OTHER PARTIES AND COUNSEL IN TRIAL COURT

Anna Barbara Hantz Marconi, Defendant
27 Parkman Brook Lane, Stratham, NH, 03885
Counsel: Richard Guerriero, #10530; Oliver Bloom, #10530; Jonathan Kotlier, PHV
Lothstein Guerriero, PLLC
39 Central Square, Suite 202, Keene, NH, 03431; richard@nhdefender.com; (603)352-5000

6. DATE OF CLERK'S NOTICE OF DECISION OR SENTENCING.

03/20/2025

DATE OF CLERK'S NOTICE OF DECISION ON POST-TRIAL MOTION, IF ANY.

7. CRIMINAL CASES: DEFENDANT'S SENTENCE AND BAIL STATUS

Case/Pleadings Pending; not incarcerated

8. APPELLATE DEFENDER REQUESTED?

YES or NO: No

IF YOUR ANSWER IS YES, YOU MUST CITE STATUTE OR OTHER LEGAL AUTHORITY UPON WHICH CRIMINAL LIABILITY WAS BASED AND SUBMIT A CURRENT REQUEST FOR A LAWYER FORM (FINANCIAL STATEMENT). SEE SUPREME COURT RULE 32(4).

9. IS ANY PART OF CASE CONFIDENTIAL?

YES or NO: Yes

IF SO, IDENTIFY WHICH PART AND CITE AUTHORITY FOR CONFIDENTIALITY. SEE SUPREME COURT RULE 12.

There are presently pleadings filed under seal at the trial court; While reserving all rights and arguments, at time of filing, it is not expected these sealed pleadings will be necessary.

10. IF ANY PARTY IS A CORPORATION LIST THE NAMES OF PARENTS, SUBSIDIARIES AND AFFILIATES.

11. DO YOU KNOW OF ANY REASON WHY ONE OR MORE OF THE SUPREME COURT JUSTICES WOULD BE DISQUALIFIED FROM THIS CASE?

YES or NO: Yes

IF YOUR ANSWER IS YES, YOU MUST FILE A MOTION FOR RECUSAL IN ACCORDANCE WITH SUPREME COURT RULE 21A.

12. IS A TRANSCRIPT OF TRIAL COURT PROCEEDINGS NECESSARY FOR THIS APPEAL? SEE SUPREME COURT RULE 15, COMMENT.

YES or NO: No

IF YOUR ANSWER IS YES, YOU MUST COMPLETE THE TRANSCRIPT ORDER FORM ON PAGE 4 OF THIS FORM.

RULE 7 NOTICE OF DISCRETIONARY APPEAL

13. NATURE OF CASE AND RESULT (Limit two pages double-spaced; please attach or include.)

For this section and section 14, you may choose to use the five-page, single-spaced Additional Information Pages form. The five-page Additional Information Pages form is available on the judicial branch website: [Forms - Supreme Court | New Hampshire Judicial Branch \(nh.gov\)](https://www.nh.gov/forms)

14. ISSUES ON APPEAL (Limit eight pages double-spaced; please attach or include.)

You may choose to use the same five-page, single-spaced Additional Information Pages form identified in section 13.

The New Hampshire Supreme Court reviews each discretionary notice of appeal and decides whether to accept the case, or some issues in the case, for appellate review. The following acceptance criteria, while neither controlling nor fully describing the court's discretion, indicate the character of the reasons that will be considered.

1. The case raises a question of first impression, a novel question of law, an issue of broad public interest, an important state or federal constitutional matter, or an issue on which there are conflicting decisions in New Hampshire courts.
2. The decision below conflicts with a statute or with prior decisions of this court.
3. The decision below is erroneous, illegal, and unreasonable or was an unsustainable exercise of discretion.

Separately number each issue you are appealing and for each issue: (a) state the issue; (b) explain why the acceptance criteria listed above support acceptance of that issue; and (c) if a ground for appeal is legal sufficiency of evidence, include a succinct statement of why the evidence is alleged to be insufficient as a matter of law.

15. ATTACHMENTS

Attach to or include with this notice of appeal the following documents in order: (1) a copy of the trial court decision or order from which you are appealing; (2) the clerk's notice of the decision below; (3) any court order deciding a timely post-decision motion; and (4) the clerk's notice of any order deciding a timely post-decision motion.

Do not attach or include any other documents with this notice of appeal. Any other documents you wish to submit must be included in a separate Appendix, which must have a table of contents on the cover and consecutively numbered pages.

16. CERTIFICATIONS

I hereby certify that every issue specifically raised has been presented to the court below and has been properly preserved for appellate review by a contemporaneous objection or, where appropriate, by a properly filed pleading. To the extent that an unpreserved issue is raised as plain error, I hereby certify that I have specifically identified that issue as plain error in section 14.

/s/Brok-Alan Woodward-Griffith

Appealing Party or Counsel

I hereby certify that on or before the date below, copies of this notice of appeal were served on all parties to the case and were filed with the clerk of the court from which the appeal is taken in accordance with Supreme Court Rules 5(1) and 26(2) and with Rule 18 of the Supplemental Rules of the Supreme Court.

04/18/2025

Date

/s/Brok-Alan Woodward-Griffith

Appealing Party or Counsel

RULE 7 NOTICE OF DISCRETIONARY APPEAL

TRANSCRIPT ORDER FORM

INSTRUCTIONS:

1. If a transcript is necessary for your appeal, you must complete this form.
2. List each portion of the proceedings that must be transcribed for appeal, e.g., entire trial (see Supreme Court Rule 15(3)), motion to suppress hearing, jury charge, etc., and provide information requested.
3. Determine the amount of deposit required for each portion of the proceedings and the total deposit required for all portions listed. Do not send the deposit to the Supreme Court. You will receive an order from the Supreme Court notifying you of the deadline for paying the deposit amount to the court transcriber. Failure to pay the deposit by the deadline may result in the dismissal of your appeal.
4. The transcriber will produce a digitally-signed electronic version of the transcript for the Supreme Court, which will be the official record of the transcribed proceedings. The parties will be provided with an electronic copy of the transcript in PDF-A format. A paper copy of the transcript may also be prepared for the court.

PROCEEDINGS TO BE TRANSCRIBED (Please confirm dates with Trial Court)					
PROCEEDING DATE (List each day separately, e.g. 5/1/11; 5/2/11; 6/30/11)	TYPE OF PROCEEDING (Motion hearing, opening statement, trial day 2, etc.)	NAME OF JUDGE	LENGTH OF PROCEEDING (in .5 hour segments, e.g., 1.5 hours, 8 hours)	RATE (standard rate unless ordered by Supreme Court)	DEPOSIT
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				X \$170.00	\$
				TOTAL DEPOSIT	\$

PROCEEDINGS PREVIOUSLY TRANSCRIBED					
PROCEEDING DATE (List date of each transcript volume)	TYPE OF PROCEEDING (Motion hearing, opening statement, trial day 2, etc.)	NAME OF JUDGE	NAME OF TRANSCRIBER	DO ALL PARTIES HAVE COPY (YES OR NO)	DEPOSIT FOR ADDITIONAL COPIES
					TBD
					TBD
					TBD

NOTE: The deposit is an estimate of the transcript cost. After the transcript has been completed, you will be required to pay an additional amount if the final cost of the transcript exceeds the deposit. Any amount paid as a deposit in excess of the final cost will be refunded. The transcript will not be released to the parties until the final cost of the transcript is paid in full.

**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 ON RENEWED MOTION TO INTERVENE

The Court has before it the Renewed Motion to Intervene (Doc. 48) filed by Brok-Alan Woodward-Griffith. Having reviewed the Renewed Motion and the accompanying documentation including the memorandum of law, the Court finds that the parties do not need to respond and no hearing is necessary. As explained briefly below, Mr. Griffith continues to have no right to intervene.

Mr. Griffith cites one new authority for his request, RSA 490:30-b, which took effect January 1, 2025. That statute does support his position for at least two obvious reasons. First, by its own terms, it does not apply. The opening sentence of the new law identifies its triggering circumstances. That sentence begins,

Whenever a final decision has been rendered by the judicial conduct committee finding that a judicial officer of the supreme, superior, or circuit court has committed judicial misconduct and imposing formal discipline, a litigant alleging that there are reasonable grounds to believe the misconduct in question caused the judicial officer to enter a ruling, decision, or judgment by which the litigant is aggrieved may seek relief [under the next paragraph.]

RSA 490:30-b, I. The Court is not aware that there has been any decision rendered by the judicial conduct committee related to the Defendant's actions. Second, even if there were such a finding, petitions under the statute are to be filed "with the chief justice or administrative judge of the court of which the judicial officer found to have committed misconduct was a member at the time the ruling, decision, or judgment was entered." RSA 490:30-b, II. Here, that court would be the New Hampshire Supreme Court.

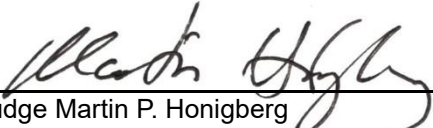
The remaining grounds in the Renewed Motion are reiterations of Mr. Griffith's arguments in support of his original intervention request. Those arguments are no better now than they were before.

For the foregoing reasons, Mr. Griffith's Renewed Motion to Intervene (Doc. 48) is DENIED.

So ordered.

March 20, 2025

Date



Judge Martin P. Honigberg