

THE STATE OF NEW HAMPSHIRE

MERRIMACK, SS.

SUPERIOR COURT

STATE OF NEW HAMPSHIRE

v.

ANNA BARBARA HANTZ MARCONI

217-2024-CR-01167

**STATE'S OBJECTION TO WOODWARD-GRIFFITH'S MOTION FOR STAY**

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and objects to the pleading entitled "Ex-Parte Motion for Immediate Stay in Preservation of Proposed Intervenor's Rights and Appeal" ("the Motion") filed by Brok-Alan Woodward-Griffith ("Woodward-Griffith"). In support thereof, the State represents as follows:

1. In October of 2024, Defendant was indicted by the Merrimack County Grand Jury. Since that time, the State and Defendant have been involved in extensive litigation surrounding Defendant's attempts to dismiss the indictments against her, which has significantly taxed the resources of counsel for the State and Defendant. While the State has disagreed with the legal theories advanced and remedies requested by Defendant, it is Defendant's right, as an accused in a criminal case, to engage in this type of pre-trial litigation, subject to the Superior Court's duty and power to manage and oversee the criminal case. That is, whatever the cost of this pre-trial litigation between the State and Defendant, it is to be expected.

2. While the State has investigated Defendant's conduct and brought serious criminal charges against Defendant, from the State's perspective, nothing for which Defendant has been investigated or has been indicted has anything remotely to do with Woodward-Griffith.

Whatever accusations or theories Woodward-Griffith has formed or advanced in civil litigation regarding Defendant are and have always been completely alien to the State's investigation and prosecution of Defendant. Simply put, if the State had reason to believe that Woodward-Griffith or his allegations were in any way relevant to the present indictments, Woodward-Griffith would have been interviewed by the State and would be a potential witness in the trial in this matter. However, he has not been interviewed and is not a potential witness because his accusations against Defendant are irrelevant to the State's prosecution of Defendant, despite Woodward-Griffith's repeated and solipsistic contentions that the criminal prosecution of Defendant by the State *must* have something to do with *him* – which appears to be based on Defendant's alleged reference to “important cases” and Woodward-Griffith's sense of self-importance.

3. Despite his irrelevance to the pending criminal case, Woodward-Griffith has repeatedly (and, at times, contrary to this Court's Orders and instructions) sought to insert himself into the criminal case not just by the filing of pleadings, but by interruptions of courtroom proceedings. While the pretrial litigation between the State and Defendant is to be expected, Woodward-Griffith's actions have unnecessarily taxed the resources of the Court, the State, and Defendant. The State is thus concerned about potential disruptions to future litigation of this case not just due to Woodward-Griffith's vexatious and obdurate filings, but also with his courtroom disruptions. (The State is especially concerned about the potential for disruption during the scheduled jury trial, which could prejudice one party or the other – or even cause a mistrial.)

4. Woodward-Griffith filed a motion to intervene, which was denied by this Court on December 10, 2024. The Court further ordered that Woodward-Griffith was not allowed to further file into this matter, with the exception of a potential motion to reconsider. Woodward-

Griffith then filed a Motion to Reconsider, which was denied by this Court on December 30, 2024. He filed an appeal of these rulings to the New Hampshire Supreme Court, and on January 29, 2025, the Supreme Court summarily affirmed this Court's rulings that Woodward-Griffith had no place in these proceedings.

5. On March 19, 2025, despite this Court's prohibition of further filings, Woodward-Griffith filed a Renewed Motion to Intervene, which was denied by the Court the following day. Woodward-Griffith subsequently appealed this ruling to the New Hampshire Supreme Court. However, this appeal has not been accepted by the Supreme Court, and the State (with the assent of Defendant) has filed yet another motion for summary affirmance, which is pending before the Supreme Court. Accordingly, this Court still retains jurisdiction over Woodward-Griffith's attempt to intervene and the present Motion.

6. In the Motion, which is also filed in contravention of this Court's prohibition of further filings, Woodward-Griffith now requests the stay of all proceedings, including the cancelation of the scheduled jury trial, in the pending criminal prosecution to which he is completely irrelevant. This would deny Defendant her right to a speedy trial and grind the State's prosecution to a halt in favor of a non-litigant in this case who not only has no standing and is not a litigant, but who has also been explicitly prohibited by the Court from filing a pleading such as the Motion.

7. This Court has authority to control and manage the litigation in this case. This Court has twice denied Woodward-Griffith's attempts to intervene in this case without standing. In its original denial of Woodward-Griffith's Motion to Intervene, the Court directed that "[p]ending and future filings by Mr. Griffith should not be accepted into the file, except for a possible motion for reconsideration of this Order should Mr. Griffith submit one." Accordingly,

as the Court has not found the Woodward-Griffith is entitled to intervene in this case, and as this Court has previously ordered that Woodward-Griffith was not to file other pleadings into this case, this Court should reject Woodward-Griffith's attempt to file the Motion.

### **REQUEST FOR ATTORNEY'S FEES**

8. "Under the bad faith litigation theory, an award of attorney's fees is appropriate when one party has acted in bad faith, vexatiously, wantonly, or for oppressive reasons, when the litigant's conduct can be characterized as unreasonably obdurate or obstinate, and when it should have been unnecessary for the successful party to have brought the action." *Vention Medical Advanced Components, Inc. v. Pappas*, 171 N.H. 13, 37 (2018) (quoting *Fat Bullies Farm, LLC v. Devenport*, 170 N.H. 17, 30 (2017) (quotation and brackets omitted)). Relatedly, this Court may impose attorney's fees pursuant to its inherent authority to punish violations of its Orders that cause the parties to engage in unnecessary litigation.

9. Woodward-Griffith has exhausted any patience to excuse a *pro se* litigant from bearing the costs of attorney's fees for his actions. The parties responded to, and the Court rejected, his attempted intervention and motion for reconsideration. The New Hampshire Supreme Court summarily affirmed the denial of his intervention. Despite this Court's Order that he not be allowed to further intervene, he has continued to attempt to intervene, through motions and disruptions of courtroom proceedings. This Court indulged his second attempt to intervene before denying this renewed attempt, and the appeal has not been accepted by the Supreme Court. Now, he has caused the parties and this Court to unnecessarily address his attempt to derail the State's attempt to enforce the criminal laws and Defendant's right to a speedy trial. Even excusing Woodward-Griffith's first two pleadings attempting to intervene in this matter as simply uninformed pleadings by a *pro se* litigant, the current Motion cannot be so

excused in light of Woodward-Griffith's conduct. The State and Defendant should not have to bear the costs of Woodward-Griffith's continued vexatious and obdurate conduct, and Woodward-Griffith should not be allowed to further disrupt courtroom proceedings in this matter.

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

- (A) Reject the Motion in accordance with this Court's prior Order and for lack of standing;
- (B) Award the State and Defendant attorney's fees for having to respond to the Motion;
- (C) Prohibit Woodward-Griffith, under threat of contempt of court and prohibition from entering the courtroom during proceedings in this case, from attempting to file any future proceedings into this case or from further attempts to disrupt any courtroom proceedings; and
- (D) Grant such further relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

JOHN M. FORMELLA  
ATTORNEY GENERAL

Date: June 10, 2025

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent to Brok-Alan Woodward-Griffith and counsel for Defendant.

/s/ Joe M. Fincham II  
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