

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

CARROLL, SS.

DECEMBER 2024

Granted

State of New Hampshire

Clerk's Notice of Decision
Document Sent to Parties
on 12/23/2024

v.



William Kelly

Honorable Mark D. Attorri

December 23, 2024

Docket No: 212-2023-CR-337

STATE'S ASSENTED-TO MOTION TO CONTINUE

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and hereby submits this Assented-to Motion to Continue. In support of this motion, the State submits the following:

1. The defendant is charged with two counts of Second Degree Murder. He is being held without bail and has been incarcerated since his arrest on December 17, 2023.
2. Pursuant to an Assented-to Proposed Structuring Order adopted by the Court on June 22, 2024, trial was initially scheduled to begin with jury selection on July 21, 2025.
3. On October 29, 2024, the parties received an amended hearing notice from the Court, rescheduling the trial to begin with jury selection on September 15, 2025.
4. Undersigned counsel is also scheduled for a homicide trial in Rockingham County in *State v. James Coe*, 218-2023-CR-1259, with jury selection to begin on September 22, 2025. Mr. Coe had been held without bail since his arrest on August 14, 2023. That trial is expected to last 1-2 weeks.
5. It would be impractical for undersigned counsel to try two homicide cases in two separate counties within the same 2-week trial period. As such, the State requests that trial in this matter be continued to a date in November 2025.

6. Counsel for the defendant has been contacted regarding this motion, and assents to the relief requested herein. The State has also filed a revised Assented-to Proposed Structuring Order on today's date.

WHEREFORE, the State respectfully asks this Honorable Court to:


- A. Grant the State's motion and continue the trial to a date in November; and
- B. Grant such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted,


THE STATE OF NEW HAMPSHIRE

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: December 20, 2024



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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via electronic filing to Brett Newkirk, Esq., and Katherin Canny, Esq., counsel for the defendant.



Brian N. Greklek-McKeon