

THE STATE OF NEW HAMPSHIRE

CARROLL, SS.

SUPERIOR COURT

State of New Hampshire

v.

William Kelly

Docket No. 212-2023-CR-337

ORDER

Upon consideration of the defendant's oral motion, and for the reasons stated on the record from the bench, the Court has found, on the particular facts of this case, that the introduction of constitutionally inadmissible evidence at trial caused "irreparable injustice that [could not] be cured by jury instructions." State v. Neeper, 160 N.H. 11, 15 (2010) (quoting State v. Ellsworth, 151 N.H. 152 (2004)). See also Doyle v. Ohio, 426 U.S. 610, 617-18 (1976). Accordingly, the defendant's motion to declare a mistrial was **GRANTED**.

The Clerk will schedule a Status Conference to address restoring this matter to the trial docket.



November 18, 2025

Hon. Mark D. Attorri

Clerk's Notice of Decision
Document Sent to Parties
on 11/18/2025