

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<https://www.courts.nh.gov>

Court Name: _____ Agency Case Number: _____

ARREST WARRANT

To the sheriff of his deputies of any county in this state, or any police officer state or federal, within the state:

_____ has established under oath that probable cause exists and an arrest warrant shall issue against the defendant,

_____, D.O.B. _____,

In the county of _____ for one count of

_____ contrary to the New Hampshire

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

RSA: _____ Descriptor: _____

We command you to take him/her, if found to be in your jurisdiction, and bring him/her before the _____ Court.

December 17, 2023

Date



Signature of Judge / Justice of the Peace

Hon. Daniel St. Hilaire

Name of Judge / Justice of the Peace

RETURN

STATE OF NEW HAMPSHIRE

COUNTY OF _____

I have arrested the Defendant and now have him/her before the court as commanded.

Date

Signature of Officer

Name of Officer/Department

ATTACHMENT A
THE STATE OF NEW HAMPSHIRE
CARROLL COUNTY SUPERIOR COURT

PROBABLE CAUSE STATEMENT FOR SEARCH WARRANT FOR: (1) THE CLOTHING, PERSON, AND PERSONAL ITEMS LOCATED ON THE PERSON OF WILLIAM KELLY (DOB: 11/24/1985); AND (2) THE RESIDENCE AND CURTILAGE OF 332 WATER VILLAGE ROAD, OSSIPEE, NEW HAMPSHIRE; AND ARREST WARRANT FOR WILLIAM KELLY (DOB:11/24/1985)

I, Michael Andres, being duly sworn do depose and state the following:

1. I am a Trooper with the New Hampshire State Police assigned to Troop E in Tamworth, NH. I have been employed by the Department of Safety, Division of State Police since April 13, 2018. Previous to my employment with the NH State Police, I was enlisted as a Military Police officer with the United States Army from 2012 to 2017. I attended and graduated from the 176th New Hampshire Full Time Police Academy. During the academy, I received blocks of instruction on criminal and motor vehicle law. I have attended and completed specialized training in the field of Collision Analysis and Reconstruction to include: At Scene Traffic Crash Investigation, Advanced Traffic Crash Investigation, Pedestrian/Bicycle Crash Investigation, and Video Analysis in Crash Investigation. In the course of my law enforcement career, I have investigated collisions that have led to Driving Under the Influence charges. I have been assigned as the Troop E detective since January 2022 where I have investigated and been a part of multiple death investigations resulting in homicide charges.
2. On 12/17/2023, at approximately 11:45 a.m., Corporal William French was dispatched to 332 Water Village Road, Ossipee, New Hampshire, for a report of an adult female found non-conscious and not breathing. The call came from the phone number 603-892-3150.
3. While in route to the call, Corporal French was advised by dispatch that the male caller, identified as William Kelly (DOB 11/24/1985), was conducting chest compressions on the female. Kelly stated that he and his girlfriend, the female he was giving chest compressions to, had an argument earlier and that she was very clumsy. Kelly asked the dispatcher “do you think I did this?” and stated that he didn’t want to lose his dog over this.
4. Kelly stated that he believed the female, later identified as Christine Falzone (DOB 3/19/1990) “suffered blunt force trauma because she’s bleeding, but it’s coming out of her mouth.” In the recording of the 911 call, Kelly can be heard saying that Falzone fell and that she may have a concussion. When the dispatcher asked if Falzone had suffered trauma that day, Kelly stated he believed there was trauma to her head.
5. When Corporal French arrived on scene, he went to the house that he saw on top of the hill that appeared to be 332 Water Village Road, which was labeled on the mailbox next to the road. When Corporal French made contact at the residence he asked if there was anyone hurt inside. A male inside, later identified as Kevin Houle, told him no. Corporal

French was familiar with Houle and knew this to be his residence. Corporal French asked Houle if this was 332 Water Village Road and where William Kelly was. Houle told him that 332 was at the bottom of the hill and that is where Kelly was.

6. Houle's residence was determined to be 334 Water Village Road, and was approximately 100 yards up the hill from 332 Water Village Road. 332 and 334 Water Village Road share a driveway, and the entrance to 334 Water Village Road is to the left when entering the property from the road. 334 Water Village Road had a single chain link gate in front of it, which was secured at the time Corporal French arrived.
7. 332 Water Village Road is a small single-family residence. The entire residence is a single room, with no bedrooms or bathrooms. There is an outdoor toilet that is used by the residents. Just outside the entrance to the residence is a shed. Kelly later told Sergeant Mask that it contained tools and miscellaneous items. There is also a camper next to the residence on the property, which Kelly stated he could not go inside due to it being moldy. The entrance to 332 Water Village Road is to the right when entering the property from the road. There are two chain link gates in front of the residence.
8. Corporal French went down to the building at the bottom of the hill and announced himself as Ossipee Police. He could see that there was an open door to the building and could hear someone saying they were in there. Corporal French opened the door to the residence and observed Kelly administering chest compressions on Falzone.
9. Corporal French observed Falzone on the floor with the top of her head facing the doorway. He observed blood covering the left side of her head and her shirt. Falzone's shirt was pulled up and her breasts were exposed. Corporal French observed Falzone had a black eye and bruises on her arms and chest.
10. Corporal French asked dispatch to notify Detective Sergeant Sean Mask, of the Ossipee Police, and Chief Donald Babbins, also of the Ossipee Police, to come to the scene.
11. Kelly was in the building but was unable to come out due to the fact that there were multiple EMS personnel working on Falzone to try and resuscitate her. He stood behind them while they did this. As soon as they pronounced Falzone deceased, Corporal French told everyone to get out from the building, including Kelly.
12. Corporal French told Kelly to go sit in a chair away from the building, and Kelly complied. Once everyone was out of the building Corporal French waited with Kelly, while Officer Dustin from the Wolfeboro Police Department got identification from all of the EMS personnel.
13. While Corporal French was standing by with Kelly, Kelly made excited utterances talking about how he isn't to blame for what happened to Falzone. He said multiple times that officers would find what they would find or wouldn't find, but Falzone was self-destructive. Kelly's emotional affect did not reflect that he was upset or crying, and seemed unaffected that his girlfriend had just died. So much so that he was making jokes about the birds he kept in his house. Corporal French had heard a parrot say hello inside the house, and Kelly stated that the bird would make weird noises in the house and would cry like a dog and cry for help.
14. Kelly was concerned about the heat and that a blanket placed in the doorway to keep the heat in the house, had been taken down. Corporal French told Kelly that was done so

EMS could try to save Falzone's life. Kelly said he knew that but was still concerned that it was ripped down.

15. Corporal French observed blood on Kelly's hands and around his mouth. When asked about this, Kelly stated the blood was from him giving Falzone CPR. Corporal French asked Kelly if he could take photographs of his hands. Kelly agreed and held out his hands to be photographed. EMS personnel who attempted life saving measures later told Trooper Evan Nadeau that there was no blood on the area of Falzone's chest that would have been transferred during CPR. EMS told Trooper Nadeau that as they were attempting life savings measures, Kelly repeatedly asked them to allow him to retrieve his phone from near Falzone's body.
16. Kelly kept speaking about his past and how he has post-traumatic stress disorder from growing up and is on medication because of it. Kelly had the medication on his person. He said that he and Falzone had been together for around a year and a half. When Corporal Kelly had observed Falzone inside the residence, it appeared that she was pregnant. Corporal French asked Kelly if Falzone was pregnant, and Falzone stated that Falzone could not get pregnant because she had her "tubes tied."
17. Kelly told Corporal French that he and Falzone got into an argument earlier in the day. Kelly said that he just wanted to get up and get going for the day, and go have coffee up the hill with his landlord. Kelly stated he ran the farm for his landlord and cared for the animals on the property.
18. Kelly asked Corporal French if he was under arrest, and Corporal French told him no. Chief Babbin asked Kelly who told him he was under arrest, and Kelly said no one. He just thought that when he was asked to come out from the building that he might be under arrest. Kelly was told that he was not under arrest.
19. Corporal French asked Kelly if he cried much because he didn't appear to be upset at all that Falzone was dead. Kelly got defensive and told Corporal French that he was just in shock because he just lost Falzone, and he was shut down. Kelly again stated that police would find what they would find or wouldn't find but he was upset that he lost her.
20. Kelly kept making small talk about incidents that Corporal French had with him in the past and was mostly concerned about his birds being cold. Kelly discussed the new boots that he had received from helping a worker that was cutting firewood on the property.
21. ADME Kevin Monte examined Falzone at the residence. Falzone had numerous bruises all over her body, to include her eyes, legs, back, and stomach. The bruising was in various stages of healing. Both of Falzone's eyes were red and swollen, consistent with a head injury. There was a large amount of blood coming from the back of Falzone's head, but ADME Monte was unable to locate a precise injury to the back of the head due to the amount of blood causing Falzone's hair to become thick and matted in the back. Falzone had injuries to her forearm that were potentially consistent with defensive wounds. It appeared to ADME Monte that Falzone had suffered a potentially fatal severe head injury that day. Her body was still warm to the touch and was not showing sign of rigor mortis at the time he arrived. Falzone's torso appeared as if she may potentially be pregnant.
22. Troopers Pratt and Post interviewed Kelly's landlord, Kevin Houle. Houle stated that Kelly would come up to his residence for coffee every morning at approximately 9:00

a.m. Houle stated that Kelly came to his residence for coffee that morning, and that he did not observe any injuries to Kelly at that time. Houle stated that the only noticeable thing about Kelly was that he noticed Kelly had shaved for the first time in about a week. Houle stated that Kelly was there for approximately half an hour before leaving.

23. Troopers Kevin Pratt and Nicholas Post also interviewed Ethan and Allison Frost. The Frosts live at 337 Water Village Road, which is directly across the street from 332 Water Village Road. The Frosts stated that they could hear Kelly yelling last night, as well as this morning at approximately 9:30 a.m. They stated that it was not uncommon to hear Kelly yelling at Falzone, at the dogs and goats on the property, and at Houle.
24. Trooper Pratt spoke with Falzone's father, Domenic Falzone (DOB 6/28/1968), the inform him that his daughter had passed away. Domenic immediately asked if Kelly "beat her to death." Domenic stated that Kelly had assaulted her before, and that he had previously knocked out her teeth, given her black eyes, and that he had struck her in the back of the head with the butt end of a shotgun. Domenic believed that the shotgun was in the house.
25. Domenic stated that the last time he was at 332 Water Village Road was approximately 6 months prior, and that he went to the residence to confront Kelly about abusing his daughter. Domenic stated that when he did so, Kelly pointed a shotgun at him and told him to leave. Domenic stated that Falzone was an addict and that he would provide her with food and cell phones, but that the cell phones would all end up getting broken. Domenic stated that Falzone knew Kelly was not treating her properly but that she would not leave him, and that Falzone constantly has bruises.
26. Based upon the foregoing and my training and experience, I am aware that when a victim suffers injuries from physical assault, those injuries can bleed. Based upon my training and experience, I am aware that DNA, blood, bodily fluids, hair, fibers, fingerprints, and other trace evidence of homicide and/or assault may be transferred from the victim to other objects, things, and people, including the perpetrator's body, clothing, and/or footwear during the commission of the homicide. This is especially so when a victim of crime suffers an open wound through which he or she is actively bleeding. Based upon the foregoing and my training and experience, I am also aware that such evidence of homicide and/or assault may then be transferred from the perpetrators to other places the perpetrator has been and any other items or clothing the perpetrator has touched or come in contact with subsequently.
27. Based upon the foregoing and my training and experience, I am aware that many people who commit crimes attempt to clean up after themselves by removing evidence, destroying evidence, arranging things to look as if no crime has been committed, and cleaning up blood and other materials that might contain evidence of a crime.
28. Based upon the foregoing information, and upon my personal knowledge, there is probable cause to believe that evidence of the crime of murder, New Hampshire RSA 630, may be found on the person, clothing, and footwear of William Kelly, dob 11/24/1985, in the form of buccal swabs, fingernail clippings, the examination of William Kelly's person, clothing and footwear for evidence of any injuries and/or physical contact with Falzone, and the taking of photographs and video tapes of William Kelly's person, clothing, and footwear.

29. Based upon the foregoing information, and upon my personal knowledge, there is probable cause to believe that evidence of the crime of murder, New Hampshire RSA 630, may be found inside the residence of 332 Water Village Road, Ossipee, New Hampshire. Such evidence to include: cellular telephones, objects that may have caused blunt force trauma and trace evidence, and/or objects that may contain trace evidence, including DNA, bodily fluids, bodily tissue, blood, blood spatter, blood soaked/stained items, hairs, fibers, fingerprints, footprints, shoes, shoe prints, palm prints, and other prints or impressions, and/or evidence of attempts to clean or remove evidence from the crime scene.
30. Based upon the foregoing information, there is probable cause to believe that William Kelly (DOB 11/24/1985) committed the crime of Second Degree Murder, in that he recklessly killed Christine Falzone under circumstances manifesting an extreme indifference to the value of human life, by means of homicidal violence.

Subscribed to and sworn before me on this 17th, day of December 2023.

A handwritten signature in cursive script that reads "Michael Andres". The signature is written in black ink and is positioned above the printed name.

Trooper Michael Andres

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.



THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

Hon. Daniel St. Hilaire

CARROLL, SS.

DECEMBER TERM, 2023

In re: Investigation into Suspicious Death in Ossipee, New Hampshire on December 17, 2023

**STATE'S MOTION TO SEAL APPLICATION FOR SEARCH WARRANT(S) AND
ARREST WARRANT, AFFIDAVIT IN SUPPORT OF APPLICATION(S), RETURN(S),
AND ANY RESULTING WARRANT(S) THAT MAY ISSUE**

*****FILED UNDER SEAL*****

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and hereby requests that this Honorable Court seal the accompanying Application(s) for Search Warrant, Application for Arrest Warrant, the Affidavit in Support of the Application(s), the Return(s), any Warrant(s) that may issue in this case, and this Motion to Seal. In support of its request, the State says as follows:

1. The New Hampshire State Police and Ossipee Police Department are conducting a criminal investigation in reference to a potential crime of Homicide, pursuant to RSA 630, relative to the death of Christine Falzone, who was found deceased on December 17, 2023, inside her home at 332 Water Village Road, in Ossipee, New Hampshire. As described in the attached affidavit, there is probable cause to believe that evidence of Christine being killed will be found on the person of William Kelly, as well as in the residence at 332 Water Village Road. There is also probable cause to believe that William Kelly committed the offense of Second Degree Murder, in violation of RSA 630:1-b.

2. Premature disclosure of the information contained in the Applications, the accompanying Affidavit, Return(s), and any Warrant(s) that may issue in this case could compromise the integrity of the ongoing investigation by revealing the identities of witnesses,

the officers involved, and investigative information known only to the authorities. This risk exists because the investigation is in the early stages and witnesses still need to be interviewed as well as possibly be called to present before the Grand Jury.

3. This Court has the authority to grant the State's request and order the relief requested. See RSA 595-A:4; Petition of Sate of New Hampshire (Bowman Search Warrants), 146 N.H. 621 (2001).

WHEREFORE, the State respectfully asks this Honorable Court to:

- A. Seal this pleading; and
- B. Grant the State's motion and seal the accompanying Application for Search Warrant(s) and Arrest Warrant, the Affidavit in support of the Application(s), the Return(s), and any Warrant(s) that may issue in this case; and
- C. 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

December 17, 2023

/s/ Brian Greklek-McKeon
Brian N. Greklek-McKeon, Bar #269561
Attorney
Criminal Justice Bureau
33 Capitol Street
Concord, NH 03301-6397
(603) 271-1629
brian.n.greklek-mckeon@doj.nh.gov