

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Coos Superior Court
55 School St., Suite 301
Lancaster NH 03584

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

RETURN FROM SUPERIOR COURT – HOUSE OF CORRECTIONS

Case Name: **State v. Troy E Merner**

Case Number: **214-2023-CR-00379**

Name: **Troy E Merner**, PO Box 369 Twin Mtn NH 03595

DOB: November 01, 1961

Charging document: Complaint

Offense: Theft by Deception \$0-\$1000	GOC:	Charge ID: 2154889C	RSA: 637:4	Date of Offense: December 07, 2022
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Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Misdemeanor

Sentence: see attached

August 21, 2024
Date

Hon. Lawrence A. MacLeod, Jr.
Presiding Justice

Viktoriya A. Kovalenko
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **Coos County House of Corrections**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: _____
Clerk of Court

SHERIFF'S RETURN

I DELIVERED THE DEFENDANT TO THE **Coos County House of Corrections** and gave a copy of this order to the Superintendent.

Date

Sheriff

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor David Michael Lovejoy, ESQ; Matthew Gregory Conley, ESQ Defendant
 Defense Attorney William Joseph Dolan, ESQ
 Sex Offender Registry Other _____ _____ Dist Div. _____

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

Court Name: Coos Superior Court
Case Name: State v. Troy E. Merner
Case Number: 214-2023-CR-00379 Charge ID Number: 2154889C
(if known)

HOUSE OF CORRECTIONS SENTENCE

Plea/Verdict: Guilty	
Crime: Theft by Deception	Date of Crime: 12/07/2022

A finding of GUILTY/TRUE is entered.

CONVICTION

- This conviction is for a felony.
- This conviction is for a misdemeanor and does NOT include the use or attempted use of physical force or the threatened use of a deadly weapon (2717-b; 2717(14))
- This conviction is for Domestic Violence contrary to RSA 631:2-b or an offense recorded as Domestic Violence. See attached Domestic Violence Sentencing Addendum.
- This conviction is for a misdemeanor that includes the use or attempted use of physical force, or the threatened use of a deadly weapon (2717-a), and
 - there exists a qualifying domestic violence relationship between the victim and defendant. See attached Domestic Violence Sentencing Addendum, OR
 - there is no qualifying domestic violence relationship between the victim and defendant (2717-14)

CONFINEMENT

- A. The defendant is sentenced to the House of Corrections for a period of **six months**.
Pretrial confinement credit is 0 days.
 - B. This sentence is to be served as follows:
 - Stand committed Commencing _____
 - Consecutive weekends from _____ PM Friday to _____ PM Sunday beginning _____
 - All** _____ of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after hearing at the request of the State. The suspended sentence begins today and ends 2 years from today or release on charge ID number _____.
 - _____ of the sentence is deferred for a period of _____.The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of _____.
 - Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for the defendant's arrest.
 - Other: _____
- C. The sentence is consecutive to case number and charge ID 214-2023-CR-00379 2154891C
 concurrent with case number and charge ID _____ [if imposed]
 - D. The court recommends to the county correctional authority:
 - Work release consistent with administrative regulations.
 - Drug and alcohol treatment and counseling.
 - Sexual offender program.
 - _____

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Case Number: 214-2023-CR-00379

HOUSE OF CORRECTIONS SENTENCE

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

PROBATION

- A. The defendant is placed on probation for a period of _____ year(s), upon the usual terms of probation and any special terms of probation determined by the probation/parole officer.
Effective: Forthwith Upon release from _____
The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Field Office.
- B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.

FINANCIAL OBLIGATIONS

- A. **Fines and Fees:**
Fine of \$ _____, plus a statutory penalty assessment of \$ 0.00 to be paid:
 Today
 By _____
 Through the Correctional Facility or Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.
 \$ _____ of the fine and \$ _____ of the penalty assessment is suspended for _____ year(s).

A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.

- B. **Restitution:**
The defendant shall pay restitution of \$ 1,100.06 to the State of New Hampshire
 Restitution shall be paid through the Correctional Facility or Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.
 At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.
 Restitution is not ordered because: _____

- C. **Appointed Counsel: NOTE:** Financial Obligations, Section C is NOT a term and condition of the sentence.
 The Court finds that the defendant has the ability to pay:
counsel fees and expenses in the amount of \$ _____
payable through _____ in the amount of \$ _____ per month.
 The Court finds that the defendant has no ability to pay counsel fees and expenses.

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Case Number: 214-2023-CR-00379

HOUSE OF CORRECTIONS SENTENCE


OTHER CONDITIONS

- A. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. The defendant's _____ in New Hampshire is revoked for a period of _____ effective _____
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the _____
- D. The defendant shall perform _____ hours of community service and provide proof to _____ within _____ of today's date.
- E. The defendant is ordered to have no contact with _____ either directly or indirectly, including but not limited to contact in-person, by mail, phone, e-mail, text message, social networking sites and/or third parties.
- F. Law enforcement agencies may destroy the evidence return evidence to its rightful owner.
- G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

Pursuant to Part I, Article 11 of the New Hampshire Constitution, the Defendant's right to vote in New Hampshire will be terminated unless later restored by the Supreme Court.

The Defendant agrees to not seek elected or appointed public office in any village, town, city, county, state, tribal, or federal government body during the period of suspension.

For Court Use Only



Honorable Lawrence A. MacLeod, Jr.
August 21, 2024

The State of New Hampshire SUPERIOR COURT COMPLAINT

Case Number: 214-2023-CR-00379

Charge ID: 2154889C

<input type="checkbox"/> VIOLATION	MISDEMEANOR	<input checked="" type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	FELONY	<input type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> SPECIAL <input type="checkbox"/> UNCLASSIFIED (non-person)

You are to appear at the: **Coos Superior Court**
address: **55 School Street Lancaster NH 03584**
in: **Coos County**
at: **1:30 p.m.**
on: **December 28, 2023**

Under penalty of law to answer to a complaint charging you with the following offense:

THE UNDERSIGNED COMPLAINS THAT:

<u>MERNER</u>	<u>TROY</u>	<u>E</u>
Last Name	First Name	Middle
<u>144 GRANDPA HARRY'S LANE</u>	<u>CARROLL</u>	<u>NH</u>
Address	City	State
<u>Male</u>	<u>White</u>	<u>6-00</u>
Sex	Race	Height
		<u>250</u>
		<u>Blue</u>
		Eye Color
		<u>Grey or partially Grey</u>
		Hair Color
<u>11/01/1961</u>	<u>NHL14108446</u>	<u>New Hampshire</u>
DOB	License #:	OP License State
<input type="checkbox"/> COMM. VEH.	<input type="checkbox"/> COMM. DR. LIC.	<input type="checkbox"/> HAZ. MAT.
		<input type="checkbox"/> 16+ PASSENGER

AT: **Lancaster, New Hampshire**
 On or about Between **Dec. 7, 2022 and Sept. 19, 2023** in the above county and state, did commit the offense of:


RSA Name: **THEFT BY DECEPTION**
Contrary to RSA: **637:4; 637:11, III**
Inchoate:

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:

1. **Troy E. Merner**
2. **Did exercise control over the property of another with a purpose to deprive them thereof by creating an impression which is false and that he does not believe to be true**
3. **In that, pursuant to one scheme or course of conduct, Troy E. Merner did represent on General Court of New Hampshire Legislative Mileage Cards that he resided in Lancaster, N.H., when, in fact, he resided in Carroll, N.H., resulting in Troy Merner receiving greater travel reimbursements from the State of New Hampshire than he was entitled to receive**
4. **In an amount that does not exceed \$1,000.**

Plea of Guilty
Entered August 21, 2024

Additional allegations are attached.
against the peace and dignity of the State.
Date: 12/01/2023


Honorable Lawrence A. MacLeod

<u>[Signature]</u>	<u>272937</u>	<u>David M. Lovejoy</u>	<u>NH Attorney General</u>
Prosecutor's Signature	NH Bar ID #	Printed Name	Prosecuting Attorney's Office
Assistant Attorney General			