

The State of New Hampshire

Superior Court

Martin E. Honigberg, Chair
Elizabeth M. Leonard, Member
Daniel E. Will, Member

Amy Bisson, Clerk

NH Judicial Branch Administrative Offices
Sentence Review Division
1 Granite Place, Ste N400
Concord, NH 03301
603-271-2030

June 3, 2024

Jamie Brooks, Esq.
NH Public Defender
27 John Stark Hwy
Newport, NH 03773

RE: State of New Hampshire v. Adam Montgomery
Hillsborough Superior North, 216-2022-CR-20 & 216-2022-CR-2372

Dear Attorney Brooks,

This will acknowledge receipt of Defendant's Applications for Sentence Review in connection with the above-captioned matters.

The rules of the Sentence Review Division permit the Board to review the pleadings and the transcript and summarily affirm without a hearing. As a result, the Clerks of Court have been asked to discontinue the practice of automatically appointing counsel when an application for sentence review is filed. If the Board determines that a hearing is necessary, the parties will be so notified. At that time, if the defendant wishes to have counsel appointed for sentence review, he/she must file a financial affidavit with the sentencing court and request that counsel be appointed for the purpose of sentence review ONLY. Upon notification from the court that counsel has been appointed, a hearing will be scheduled, and a formal Notice of Hearing will be forthcoming. If the Board summarily affirms the sentence(s) without a hearing, the parties will be notified of the decision immediately.

SECURING THE TRANSCRIPT

It is the responsibility of the party requesting sentence review to contact the transcript provider to make arrangements for preparation of the sentencing transcript(s) and for payment of the cost of the transcript(s), as found on the Judicial Branch Webpage: <http://www.courts.state.nh.us>, under "I want to...Request A Transcript." **Once the transcript is received by the requesting party, it will then be their responsibility to distribute a copy to opposing counsel AND to the Sentence Review Division.** If the imposition of sentence was a result of a violation of probation, it will be necessary to get the transcript from the date of the original sentencing hearing, along with the transcript of the most recent sentencing. The review CANNOT go forward without the transcript(s). If you need assistance, please contact the Clerk of the sentencing court.

If you do not request preparation of the transcript of sentencing within 30 days from the date of this letter, you run the risk of having the application for sentence review dismissed, with prejudice, by the Sentence Review Board.

If this case is pending Supreme Court appeal and you wish to have the Application for Sentence Review placed on "hold" pending resolution of the appeal, you will have 30 days upon receipt of this letter to notify this office and make that request. Upon notification that the appeal has been resolved, the Board will review the matter and issue their decision. If the Board determines that a hearing is necessary, a formal Notice of Hearing will be forthcoming.

If you have any questions, please feel free to contact me.

Sincerely,
Amy Bisson
Amy Bisson
Sentence Review Board Clerk

CC: Benjamin Agati, Esq., Attorney General's Office
Christopher Knowles., Esq, Attorney General's Office
Adam Montgomery, NHSP