

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

Hillsborough Superior Court Northern District  
300 Chestnut Street  
Manchester NH 03101

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

**RETURN FROM SUPERIOR COURT**

Case Name: **State v. Adam Montgomery**  
Case Number: **216-2022-CR-00020**

Name: **Adam Montgomery**, Hillsborough Cnty House of Corrections 445 Willow Street Manchester NH 03103

DOB: January 22, 1990

Charging document: Complaint

Offense:	GOC:	Charge ID:	RSA:	Date of Offense:
Endanger Welfare Child/Incompetent		1937948C	639:3	November 01, 2019
Endanger Welfare Child/Incompetent		1937949C	639:3	December 31, 2021
Interference with Custody		1937950C	633:4	December 31, 2021

Disposition: Nolle Pros

Date: June 12, 2024

Action taken: By Prosecutor

Benjamin J. Agati

J-ONE:  State Police  DMV

C:  Dept. of Corrections  Offender Records  Sheriff  Office of Cost Containment  
 Prosecutor Heather A. Cherniske, ESQ; Jesse J O'Neill, ESQ  Defendant  Defense Attorney Caroline L. Smith, ESQ

Other \_\_\_\_\_  \_\_\_\_\_ Dist Div. \_\_\_\_\_

**THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH**  
<http://www.courts.state.nh.us>

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Court Name: Hillsborough Superior Court Northern District  
Case Name: State v. Adam Montgomery  
Case Number: 216-2022-CR-00020  
Charge ID Number(s): 1937948C, 1937949C, 1937950C

**NOTICE OF NOLLE PROSEQUI**

Reason for Nolle Prosequi: Prosecutorial discretion

Other:

Given the defendant's convictions for Second Degree Assault, Second Degree Murder, Falsifying Physical Evidence, Tampering with a Witness, Abuse of a Corpse, and multiple counts of Theft by Unauthorized Taking, Receiving Stolen Property, and Armed Career Criminal in Case Numbers 216-2022-CR-00577, 216-2022-CR-02372, and 216-2022-CR-00020 the State is entering nolle prosequi in the above-captioned matter.

/s/ Benjamin J. Agati  
Prosecuting Attorney

06/12/2024  
Date

Benjamin J. Agati                      16161  
Name of Prosecuting Attorney      Bar ID #

6/13/24 NHSP

Clear Form

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# The State of New Hampshire SUPERIOR COURT COMPLAINT

Case Number: 216-2022-CR-0020

Charge ID: 1937948c

<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: **Hillsborough Superior Court Northern District**  
 address: **300 Chestnut Street Manchester NH 03101**  
 in: **Hillsborough County**  
 at:  
 on:

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

**THE UNDERSIGNED COMPLAINS THAT:**

<u>Montgomery</u>	<u>Adam</u>	<u>M</u>
Last Name	First Name	Middle
<u>Homeless</u>	<u>Manchester</u>	<u>NH</u>
Address	City	State
<u>Male</u>	<u>White</u>	<u>5' 9"</u>
Sex	Race	Height
		<u>175</u>
		<u>Brown</u>
		<u>Brown</u>
		<u>01/22/1990</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: **Manchester**

On or about  Between **Approx. November 2019-January 4, 2022** in the above county and state, did commit the offense of:

RSA Name: **Endangering the welfare of a child**

Contrary to RSA: **639:3**

Inchoate:

Extended Term Reason:

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

**knowingly endanger the welfare of H.M. (DOB 06/07/2014), a child under 18 years of age, by purposely violating a duty of care, protection or support that he owed to such child by having legal custody of H.M. but failing to have H.M. in his physical custody since approximately November 2019**

Additional allegations are attached.  
against the peace and dignity of the State.

**NOIE PROSEQUI**  
**6/12/2024**

Date: 01/05/2022

/s/ Jesse O'Neill  
Prosecutor's Signature  
Assistant Attorney General

20723 Jesse O'Neill  
NH Bar ID # Printed Name

NH Attorney General  
Prosecuting Attorney's Office

# The State of New Hampshire SUPERIOR COURT COMPLAINT

Case Number: 216-2022-CR-00020

Charge ID: 1937949c

<input type="checkbox"/> VIOLATION	<input type="checkbox"/> MISDEMEANOR	<input checked="" type="checkbox"/> CLASS A	<input type="checkbox"/> CLASS B	<input type="checkbox"/> UNCLASSIFIED (non-person)
	<input type="checkbox"/> 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: **Hillsborough Superior Court Northern District**  
address: **300 Chestnut Street Manchester NH 03101**  
in: **Hillsborough County**  
at:  
on:

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

### THE UNDERSIGNED COMPLAINS THAT:

Montgomery Last Name      Adam First Name      M Middle  
Homeless Address      Manchester City      NH State      Zip  
Male Sex      White Race      5' 9" Height      175 Weight      Brown Eye Color      Brown Hair Color  
01/22/1990 DOB      License #:      OP License State  
 COMM. VEH.       COMM. DR. LIC.       HAZ. MAT.       16+ PASSENGER

AT: Manchester

On or about       Between **December 31, 2021**      in the above county and state, did  
commit the offense of:

RSA Name: **Endangering the welfare of a child**

Contrary to RSA: 639:3

Inchoate:

Extended Term Reason:

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:  
**knowingly endanger the welfare of H.M. (DOB 06/07/2014), a child under 18 years of age, by purposely violating a duty of care, protection or support that he owed to such child by preventing child protective services, to wit, DCYF, from obtaining physical custody of H.M.**

Additional allegations are attached.  
against the peace and dignity of the State.

Date: 01/05/2022

/s/ Jesse O'Neill  
Prosecutor's Signature  
Assistant Attorney General

20723 Jesse O'Neill  
NH Bar ID # Printed Name

NH Attorney General  
Prosecuting Attorney's Office

NHJB-2486-So (08/08/2019)

Nolle Prosequi  
6/12/2024

# The State of New Hampshire SUPERIOR COURT COMPLAINT

Case Number: 216-2022-CR- 00020

Charge ID: 1937950C

<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: **Hillsborough Superior Court Northern District**  
address: **300 Chestnut Street Manchester NH 03101**  
in: **Hillsborough County**  
at:  
on:

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

**THE UNDERSIGNED COMPLAINS THAT:**

<u>Montgomery</u>	<u>Adam</u>	<u>M</u>
Last Name	First Name	Middle
<u>Homeless</u>	<u>Manchester</u>	<u>NH</u>
Address	City	State
<u>Male</u> <u>White</u>	<u>5' 9"</u> <u>175</u>	<u>Brown</u> <u>Brown</u>
Sex    Race	Height    Weight	Eye Color    Hair Color
<u>01/22/1990</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: <u>Manchester</u>		

On or about     Between **December 31, 2021**    in the above county and state, did  
commit the offense of:

RSA Name: **Interference with custody**  
Contrary to RSA: **633:4, II(b)**  
Inchoate:  
Extended Term Reason:

And the laws of New Hampshire for which the defendant should be held to answer, in that the defendant did:  
**knowingly conceal any child under the age of 18, to wit, H.M. (DOB 06/07/2014), with the intent to conceal such child from the Division of Children, Youth and Family Services (DCYF),** [REDACTED]  
[REDACTED] and refused to provide the Manchester Police Department information leading to the whereabouts of H.M. [REDACTED]

Additional allegations are attached.  
against the peace and dignity of the State.  
Date: 01/05/2022

<u>/s/ Jesse O'Neill</u>	<u>20723</u> <u>Jesse O'Neill</u>	<u>NH Attorney General</u>
Prosecutor's Signature	NH Bar ID # Printed Name	Prosecuting Attorney's Office
<b>Assistant Attorney General</b>		

**Nolle Prosequi**  
6/12/2024