

Clerk's Notice of Decision
Document Sent to Parties
on 05/15/2023

HILLSBOROUGH, SS. THE STATE OF NEW HAMPSHIRE SUPERIOR COURT
Northern District

State of New Hampshire

v.

Adam Montgomery

Case Nos. 216-2022-CR-00020
216-2022-CR-00577

**STATE’S ASSENTED-TO MOTION TO EXTEND DEADLINE TO RESPOND
TO DEFENDANT’S MOTIONS *IN LIMINE***

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and respectfully requests that this Honorable Court extend by eight days the State’s deadline to respond to two of the defendant’s motions *in limine*. As grounds therefore, the State submits as follows:

1. On May 1, 2023, the defendant filed two motions *in limine*: Motion for a View, and Motion for Authorization to Disclose and use Grand Jury Transcripts at Trial (together, “the defendant’s motions”).

2. Per Rule 35(i)(1) of the New Hampshire Rules of Criminal Procedure, the State has 10 days to respond to the defendant’s motions. This 10-day deadline would be May 11, 2023.

3. Undersigned counsel’s personal and professional commitments, including conflicting motion deadlines, witness meetings, trial preparation, and casework has not allowed adequate time for the State to respond to the defendant’s motions within the usual 10-day deadline. Therefore, the State is requesting an eight-day extension of its deadline to respond to the defendant’s motions, to May 19, 2023.

Granted
Amy B. Messer
Honorable Amy B. Messer
May 12, 2023
The Court notes that the State also has not filed a response to the defendant’s motion in limine regarding marital privilege. The Court believes it would benefit from a responsive pleading from State on this motion. Therefore, the Court sua sponte grants the same extension for a responsive pleading on that motion as is being granted with respect to the other two motions.

4. Undersigned counsel, by signature below affirms that he has communicated with counsel for the defendant who assent to the relief requested herein.

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court:

(A) Extend by eight days, to May 19, 2023, the State's deadline to respond to the defendant's Motion for a View, and Motion for Authorization to Disclose and use Grand Jury Transcripts at Trial; and

(B) Grant such further relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: May 11, 2023

/s/ R. Christopher Knowles
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via the State of New Hampshire e-filing system to Carrie Smith, Esq., counsel of record in this matter.

/s/ R. Christopher Knowles
R. Christopher Knowles