

**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-00577**

Name: **Adam Montgomery**, 479 Donald Street Manchester NH 03103

DOB: January 22, 1990

Charging document: Indictment

Offense:	GOC:	Charge ID:	RSA:	Date of Offense:
Hand Guns Armed Career Criminal		1964094C	159:3-a	September 29, 2019
Hand Guns Armed Career Criminal		1964095C	159:3-a	September 29, 2019
Felon In possession		1964096C	159:3,l	September 29, 2019
Felon In possession		1964097C	159:3,l	September 29, 2019
Felon in Possession of Dangerous Weapon		2008744C	159:3,l	September 29, 2019
Felon in Possession of Dangerous Weapon		2008745C	159:3,l	September 29, 2019

Disposition: Nolle Pros

Date: May 26, 2023

Action taken: By Prosecutor

Benjamin Agati, Esq.

J-ONE: State Police DMV

C: Dept. of Corrections Offender Records Sheriff Office of Cost Containment
 Prosecutor Jesse J O'Neill, ESQ Defendant Defense Attorney Caroline L. Smith, ESQ
 Other Jailer _____ _____ Dist Div. _____

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

Court Name: Hillsborough Superior Court Northern District

Case Name: State v. Adam Montgomery

Case Number: 216-2022-CR-00577 Charge ID Number: 1964094C

COMPLAINT/INDICTMENT AMENDMENT FORM

- The offense degree is amended to:
 - Violation Misdemeanor Class A Class B Unclassified (non-person)
 - Felony Class A Class B Special Unclassified (non-person)

- The RSA name and RSA reference are amended as follows in order to make the complaint compliant with the Uniform Charge Table:
 RSA name (UCT Descriptor): _____
 RSA: _____

- The complaint narrative is unchanged.
- Scrivener's error – amended as follows (no defense signature required):

- The complaint narrative is amended as follows:
Strike the second bullet point in its entirety: "- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,"

If applicable, the inchoate reference is unchanged; amended to read:

If applicable, the extended term is unchanged; amended to read:

08/04/2022
Date

08/04/2022
Date

/s/ Jesse O'Neill
Signature of Prosecuting Attorney

/s/ Caroline L. Smith, signed by Jesse O'Neill with permission of Caroline L. Smith
Signature of Defendant/Attorney for Defendant

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

At the Superior Court, holden at Manchester, within and for the County of Hillsborough aforesaid, on the 20th day of June in the year of our Lord two thousand and twenty-two,

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY
DOB: 01/22/1990

HNSC #216	2022	CR	577
CHG ID#	1964094C		

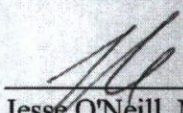
of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of

ARMED CAREER CRIMINAL
(RSA 159:3-a, I)

in that Adam Montgomery did knowingly have in his possession or under his control a rifle, having been convicted of any combination of 3 or more felonies in this state or in any other state under homicide, assault, sexual assault, arson, burglary, robbery, extortion, child sexual abuse images, or controlled drug laws, to wit:

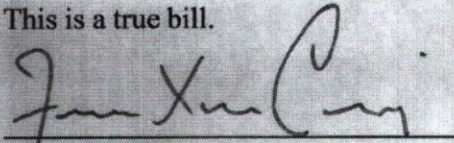
- first degree assault (class A felony) out of Hillsborough Superior Court-North on or about January 26, 2009,
- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,
- armed robbery (felony) out of Middlesex Massachusetts Superior Court on or about December 10, 2009,
- assault and battery with a dangerous weapon (felony) out of Middlesex Massachusetts Superior Court on or about March 11, 2014

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Jesse O'Neill, NH Bar #20723
Senior Assistant Attorney General

This is a true bill.



Foreperson

Nolle Prosequi
5/26/2023

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3-a, I
Offense Level: Special Felony; minimum mandatory term of 10 years imprisonment and a maximum term of imprisonment of not more than 40 years, and a fine of not more than \$25,000; neither the whole, nor any part of the minimum mandatory sentence shall be served concurrently with any other term, nor shall the whole or any part of such additional term of imprisonment be suspended or deferred; the provisions of RSA 651:20 relative to suspensions or the provisions of RSA 651-A relative to parole shall not apply to any sentence of imprisonment imposed
Case Number: 216-2022-CR-00577
Charge ID: 1964094C

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
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Court Name: Hillsborough Superior Court Northern District
Case Name: State v. Adam Montgomery
Case Number: 216-2022-CR-00577 Charge ID Number: 1964095C

COMPLAINT/INDICTMENT AMENDMENT FORM

- The offense degree is amended to:
 - Violation Misdemeanor Class A Class B Unclassified (non-person)
 - Felony Class A Class B Special Unclassified (non-person)

The RSA name and RSA reference are amended as follows in order to make the complaint compliant with the Uniform Charge Table:
 RSA name (UCT Descriptor): _____
 RSA: _____

- The complaint narrative is unchanged.
- Scrivener's error – amended as follows (no defense signature required):

The complaint narrative is amended as follows:
Strike the second bullet point in its entirety: "- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,"

If applicable, the inchoate reference is unchanged; amended to read:

If applicable, the extended term is unchanged; amended to read:

08/04/2022
Date

/s/ Jesse O'Neill
Signature of Prosecuting Attorney

08/04/2022
Date

/s/ Caroline L. Smith, signed by Jesse O'Neill with permission of Caroline L. Smith
Signature of Defendant/Attorney for Defendant

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

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THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY
DOB: 01/22/1990

HNSC #216	2022	CR	577
CHG ID#	1964095C		

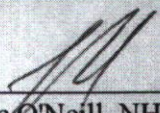
of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of

ARMED CAREER CRIMINAL
(RSA 159:3-a, I)

in that Adam Montgomery did knowingly have in his possession or under his control a shotgun, having been convicted of any combination of 3 or more felonies in this state or in any other state under homicide, assault, sexual assault, arson, burglary, robbery, extortion, child sexual abuse images, or controlled drug laws, to wit:

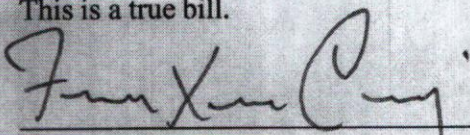
- first degree assault (class A felony) out of Hillsborough Superior Court-North on or about January 26, 2009,
- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,
- armed robbery (felony) out of Middlesex Massachusetts Superior Court on or about December 10, 2009,
- assault and battery with a dangerous weapon (felony) out of Middlesex Massachusetts Superior Court on or about March 11, 2014

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Jesse O'Neill, NH Bar #20723
Senior Assistant Attorney General

This is a true bill.



Foreperson

Nolle Prosequi
05/26/2023

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3-a, I
Offense Level: Special Felony; minimum mandatory term of 10 years imprisonment and a maximum term of imprisonment of not more than 40 years, and a fine of not more than \$25,000; neither the whole, nor any part of the minimum mandatory sentence shall be served concurrently with any other term, nor shall the whole or any part of such additional term of imprisonment be suspended or deferred; the provisions of RSA 651:20 relative to suspensions or the provisions of RSA 651-A relative to parole shall not apply to any sentence of imprisonment imposed
Case Number: 216-2022-CR-00577
Charge ID: 1964095C

THE STATE OF NEW HAMPSHIRE
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Court Name: Hillsborough Superior Court Northern District
Case Name: State v. Adam Montgomery
Case Number: 216-2022-CR-00577 Charge ID Number: 1964096C

COMPLAINT/INDICTMENT AMENDMENT FORM

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 - Violation Misdemeanor Class A Class B Unclassified (non-person)
 - Felony Class A Class B Special Unclassified (non-person)
- The RSA name and RSA reference are amended as follows in order to make the complaint compliant with the Uniform Charge Table:

RSA name (UCT Descriptor): _____

RSA: _____
- The complaint narrative is unchanged.
- Scrivener's error – amended as follows (no defense signature required):

- The complaint narrative is amended as follows:

Strike the second bullet point in its entirety: "- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,"

If applicable, the inchoate reference is unchanged; amended to read:

If applicable, the extended term is unchanged; amended to read:

08/04/2022
Date

/s/ Jesse O'Neill
Signature of Prosecuting Attorney

08/04/2022
Date

/s/ Caroline L. Smith, signed by Jesse O'Neill with permission of Caroline L. Smith
Signature of Defendant/Attorney for Defendant

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

At the Superior Court, holden at Manchester, within and for the County of Hillsborough aforesaid, on the 20th day of June in the year of our Lord two thousand and twenty-two,

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY

DOB: 01/22/1990

HNSC #218	2022	CR 577
CHG ID#	1964096C	

of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of


FELON IN POSSESSION OF A FIREARM

(RSA 159:3, I)

in that Adam Montgomery did knowingly have in his possession or under his control a rifle (firearm), having been convicted in a state court in this or any other state of a felony against the person or property of another, to wit:

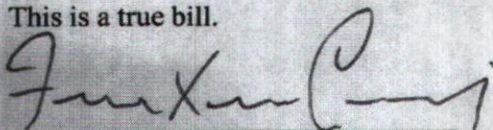
- first degree assault (class A felony) out of Hillsborough Superior Court-North on or about January 26, 2009,
- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,
- armed robbery (felony) out of Middlesex Massachusetts Superior Court on or about December 10, 2009,
- assault and battery with a dangerous weapon (felony) out of Middlesex Massachusetts Superior Court on or about March 11, 2014

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Jesse O'Neill, NH Bar #20723
Senior Assistant Attorney General

This is a true bill.



Foreperson

Nolle Prosequi

05/26/2023

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3, I
Offense Level: Class B Felony; 3½-7 years NHSP, \$4,000 fine, or both
Case Number: 216-2022-CR-00577
Charge ID: 1964096C

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

At the Superior Court, holden at Manchester, within and for the County of Hillsborough aforesaid, on the 20th day of June in the year of our Lord two thousand and twenty-two,

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY
DOB: 01/22/1990

HNSC #216	2022 CR 577
CHG ID#	1964097C

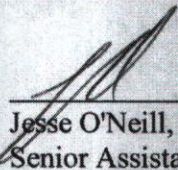
of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of

FELON IN POSSESSION OF A FIREARM
(RSA 159:3, I)

in that Adam Montgomery did knowingly have in his possession or under his control a shotgun (firearm), having been convicted in a state court in this or any other state of a felony against the person or property of another, to wit:

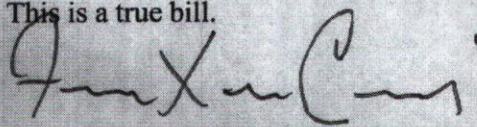
- first degree assault (class A felony) out of Hillsborough Superior Court-North on or about January 26, 2009,
- criminal threatening (felony) out of Hillsborough Superior Court-North on or about April 4, 2008,
- armed robbery (felony) out of Middlesex Massachusetts Superior Court on or about December 10, 2009,
- assault and battery with a dangerous weapon (felony) out of Middlesex Massachusetts Superior Court on or about March 11, 2014

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Jesse O'Neill, NH Bar #20723
Senior Assistant Attorney General

This is a true bill.



Foreperson

Nolle Prosequi
05/26/2023

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3, I
Offense Level: Class B Felony; 3½-7 years NHSP, \$4,000 fine, or both
Case Number: 216-2022-CR-00577
Charge ID: 1964097C

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

At the Superior Court, holden at Manchester, within and for the County of Hillsborough aforesaid, on the 18th day of August in the year of our Lord two thousand and twenty-two,

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY
DOB: 01/22/1990

HNSC #2162022 CR 577
CHG ID# 2008744C

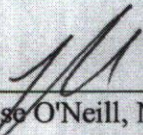
of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of

FELON IN POSSESSION OF A FIREARM
(RSA 159:3, I)

in that Adam Montgomery did knowingly have in his possession or under his control a rifle (firearm), having been convicted in a state court in this or any other state of a felony against the person or property of another, to wit:

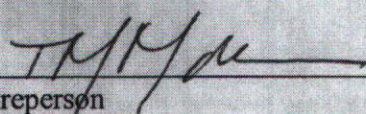
- first degree assault (felony), convicted on or about January 26, 2009, case number 08-S-1466, Hillsborough North New Hampshire Superior Court;
- armed robbery (felony), convicted on or about June 10, 2010, case number 0881CR00625, Middlesex Massachusetts Superior Court;
- assault and battery with a dangerous weapon (felony), convicted on or about June 10, 2010, case number 0881CR00625, Middlesex Massachusetts Superior Court;
- assault and battery with a dangerous weapon (felony), convicted on or about September 9, 2014, case number 1438CR000304, Haverhill Massachusetts District Court
- larceny from a person (felony), convicted on or about September 9, 2014, case number 1438CR000304, Haverhill Massachusetts District Court

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.



Jesse O'Neill, NH Bar #20723
Senior Assistant Attorney General

This is a true bill.



Foreperson

Nolle Prosequi

05/26/2023

CID 2008744C
216-2022-CR-577

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3, I
Offense Level: Class B Felony; 3½-7 years NHSP, \$4,000 fine, or both

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS
Northern District

SUPERIOR COURT

INDICTMENT

At the Superior Court, holden at Manchester, within and for the County of Hillsborough aforesaid, on the 18th day of August in the year of our Lord two thousand and twenty-two,

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

ADAM MONTGOMERY

DOB: 01/22/1990

HNSC #216	2022	CR	577
CHG ID#	2008745C		

of or formerly of 445 Willow Street, Manchester, in the State of New Hampshire, between approximately September 29, 2019, and October 22, 2019, at Manchester in the County of Hillsborough aforesaid, did commit the crime of

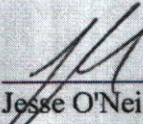
FELON IN POSSESSION OF A FIREARM

(RSA 159:3, I)

in that Adam Montgomery did knowingly have in his possession or under his control a shotgun (firearm), having been convicted in a state court in this or any other state of a felony against the person or property of another, to wit:

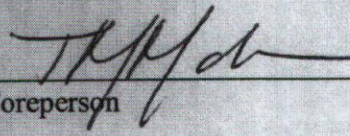
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- assault and battery with a dangerous weapon (felony), convicted on or about September 9, 2014, case number 1438CR000304, Haverhill Massachusetts District Court
- larceny from a person (felony), convicted on or about September 9, 2014, case number 1438CR000304, Haverhill Massachusetts District Court

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Senior Assistant Attorney General

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Foreperson

Nolle Prosequi

05/26/2023

CID 2008745C
216-2022-CR-577

Name: Adam Montgomery
DOB: 01/22/1990
Address: Hillsborough County House of Corrections
RSA: 159:3, I
Offense Level: Class B Felony; 3½-7 years NHSP, \$4,000 fine, or both