

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.

HILLSBOROUGH COUNTY SUPERIOR COURT - NORTH

STATE OF NEW HAMPSHIRE

V.

ADAM MONTGOMERY

216-2022-CR-20

216-2022-CR-2372

**ASSENTED TO MOTION TO JOIN**

NOW COMES the defendant, Adam Montgomery, by and through counsel, Caroline L. Smith, Esq. and Paige Pihl Buckley, Esq., and respectfully requests that this Honorable Court order that the felony charge of Second Degree Assault be joined for purposes of pretrial litigation and trial with the charges of second degree murder. In support of this Motion, the following is stated:

1. On January 5, 2022, Adam Montgomery was charged with one felony count of Second Degree Assault alleged to have occurred between July 1 and July 22, 2019, two misdemeanor counts of Endangering the Welfare of a Child Or Incompetent alleged to have occurred on or about December 31, 2021; Endangering the Welfare of a Child or Incompetent alleged to have occurred between November, 2019 and January 4, 2022 and one misdemeanor count of Interference with Custody alleged to have occurred on December 31, 2021. The Second Degree Assault charge was indicted on March 21, 2022.
2. On June 28, 2022, this Court granted Mr. Montgomery's motion to sever the misdemeanor complaints from the felony second degree assault charge.
3. On October 25, 2022, Mr. Montgomery was charged by complaint in Docket #216-2022-CR-2372 with Second Degree Murder, Falsifying Physical Evidence, Abuse of Corpse and Tampering with Witnesses and Informants.
4. Mr. Montgomery requests that the second degree assault charge be joined with the charges in Docket#216-2022-CR-2372 for purposes of pretrial litigation and trial. The misdemeanor charges in docket #216-2022-CR-20 should remain separate.
5. The State assents to this motion.

After review and consideration, motion GRANTED.



Honorable Amy B. Messer

November 26, 2022

Clerk's Notice of Decision  
Document Sent to Parties  
on 11/28/2022

WHEREFORE, counsel for Mr. Montgomery requests this Court join the second degree assault charge from docket #216-2022-CR-20 with the charges in docket #216-2022-CR-2372.

Respectfully submitted,

/s/ Caroline Smith  
Caroline L. Smith, Esq.  
N.H. Bar #5992  
N.H. Public Defender  
408 Union Avenue  
Laconia, NH 03246  
(603)524-1831

/s/ Paige Pihl Buckley  
Paige Pihl Buckley  
N.H. Bar #272328  
N.H. Public Defender  
20 Merrimack Street  
Manchester, NH 03101  
(603)669-7888

**CERTIFICATE OF SERVICE:**

I hereby certify that a copy of this MOTION has been forwarded to the Office of the Attorney General on this 23rd day of November, 2022.

/s/ Caroline Smith  
Caroline L. Smith, Esq.

/s/ Paige Pihl Buckley  
Paige Pihl Buckley, Esq.