

CASE SUMMARY
CASE NO. 216-2022-CR-02372

State v. Adam Montgomery

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Location: **Hillsborough Superior Court
Northern District**
 Judicial Officer: **Messer, Amy B**
 Filed on: **10/25/2022**

CASE INFORMATION

Offense	Statute	Deg	Date	Case Type:	Criminal
Jurisdiction: Manchester					
1. Bail Order ChargeID: 2027034C ACN: 007025J222027034001 Arrest:	BO	UNKN	10/25/2022	Case Status:	10/25/2022 Pending
2. 2nd Degree Murder - reckless Addtl Statutes: (UNKN) Victim under age 13 ChargeID: 2027112C ACN: 007025J192027112002 Arrest:	630:1-b,I(b)	SPEC	12/07/2019		
3. Falsify Phys Evidence alter, destroy, hide ChargeID: 2027113C ACN: 007025J192027113003 Arrest:	641:6,I	FELB	12/07/2019		
4. Abuse of Corpse ChargeID: 2027114C ACN: 007025J192027114004 Arrest:	644:7	MISDA	12/07/2019		
5. Witness Tampering ChargeID: 2027115C ACN: 007025J192027115005 Arrest:	641:5	FELB	12/07/2019		

PARTY INFORMATION

		<i>Attorneys</i>
Defendant	Montgomery, Adam <i>c/o Valley Street Jail 445 Willow Street Manchester, NH 03103 DOB: 01/22/1990 Age: 32</i>	Smith, Caroline L., ESQ <i>Retained 603-524-1831(W)</i> Brooks, James T., ESQ <i>Retained 603-865-1460(W)</i>
Prosecutor	Attorney General's Office <i>NH Department Of Justice 33 Capitol Street Concord, NH 03301</i>	Agati, Benjamin J., ESQ <i>603-271-2069(W)</i> Knowles, R Christopher, ESQ <i>603-271-2069(W)</i> O'Neill, Jesse J, ESQ <i>603-625-6464(W)</i>
Plaintiff	Attorney General's Office <i>NH Department Of Justice 33 Capitol Street Concord, NH 03301</i>	Agati, Benjamin J., ESQ <i>603-271-2069(W)</i> Knowles, R Christopher, ESQ <i>603-271-2069(W)</i> O'Neill, Jesse J, ESQ <i>603-625-6464(W)</i>



DATE	EVENTS & ORDERS OF THE COURT	INDEX
10/25/2022	Arraignment/Bail Hearing (Judicial Officer: Messer, Amy B) <i>Agreement - No Hearing Necessary</i>	
10/25/2022	Disposition (Judicial Officer: Messer, Amy B) 1. Bail Order Underlying Charges Filed	
10/25/2022	 Ntc of Eligibility and Appt of Counsel <i>Charges: 2, 3, 4, 5</i>	<i>Index #1</i>
10/25/2022		<i>Index #5</i>

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	 Complaint <i>Complaint witness tampering 2027115c env2636733</i>	
10/25/2022	 Complaint Party: Prosecutor Attorney General's Office <i>Complaint second degree murder 2027112c</i>	Index #2
01/23/2023	 Indictment <i>2nd Degree Murder/ CID 2027112c/ Envelope 2794322</i>	Index #17
01/23/2023	 Indictment <i>Falsify Phys Evidence/ CID 2027113c/ Envelope 2794322</i>	Index #18
01/23/2023	 Indictment <i>Tampering w/Witness/ CID 2027115c/ Envelope 2794322</i>	Index #19
10/25/2022	 Complaint Party: Prosecutor Attorney General's Office <i>Complaint falsifying physical evidence 2027113c</i>	Index #3
10/25/2022	 Complaint Party: Prosecutor Attorney General's Office <i>Complaint abuse of corpse 2027114c</i>	Index #4
10/25/2022	 Probable Cause Statement Filed by: Prosecutor Attorney General's Office <i>Probable cause statement for complaints</i>	Index #6
10/25/2022	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>Motion to seal probable cause statement</i>	Index #7
10/25/2022	Granted (Judicial Officer: Messer, Amy B) <i>Env #2640124</i>	
10/25/2022	 Motion Filed by: Prosecutor Attorney General's Office <i>Motion under RSA 597:1-c</i>	Index #8
10/25/2022	Granted (Judicial Officer: Messer, Amy B) <i>Env #2638350</i>	
10/25/2022	 Bail Order Filed by: Prosecutor Attorney General's Office	Index #9
10/25/2022	Order Made (Judicial Officer: Messer, Amy B) <i>Preventive Detention - Env #2638350</i>	
10/25/2022	 Waiver of Arraignment-Waiver of Extradition Party: Defendant Montgomery, Adam <i>Waivers of Arraignment and Extradition</i>	Index #10
10/25/2022	 Appearance Filed by: Defendant Montgomery, Adam <i>Appearance</i>	Index #11
10/25/2022	 Appearance	Index #12

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Filed by: Defendant Montgomery, Adam
Co-Counsel Appearance












11/15/2022	 Appearance Filed by: Defendant Montgomery, Adam <i>Co-Counsel Appearance</i>	<i>Index #13</i>
11/22/2022	 Structuring Conference (Judicial Officer: Messer, Amy B) <i>Env #2638350</i> <i>Hearing Held</i>	
11/23/2022	 Assented to Motion Filed by: Defendant Montgomery, Adam <i>Assented to Motion to Join</i>	<i>Index #14</i>
11/26/2022	Granted (Judicial Officer: Messer, Amy B) <i>Env #2691826</i>	
12/06/2022	 Motion Filed by: Prosecutor Attorney General's Office <i>Motion to Appoint Counsel</i>	<i>Index #15</i>
12/06/2022	Granted (Judicial Officer: Messer, Amy B) <i>Envelope 2710373</i>	
12/07/2022	 Ntc of Eligibility and Appt of Counsel <i>for witness Kayla Montgomery</i>	<i>Index #16</i>
02/08/2023	 Appearance Filed by: Prosecutor Attorney General's Office <i>Appearance</i>	<i>Index #20</i>
02/21/2023	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>Motion to Seal</i>	<i>Index #21</i>
02/22/2023	Granted (Judicial Officer: Messer, Amy B) <i>ENV #2839414</i>	
02/21/2023	 Proposed Order Filed by: Prosecutor Attorney General's Office <i>Proposed Order</i>	<i>Index #22</i>
02/22/2023	Granted (Judicial Officer: Messer, Amy B) <i>ENV #2839414</i>	
02/21/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>Ex Parte Motion</i>	<i>Index #23</i>
02/22/2023	Granted (Judicial Officer: Messer, Amy B) <i>ENV #2839414</i>	
02/22/2023	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>Motion to Seal</i>	<i>Index #24</i>
02/23/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #2845176</i>	

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02/22/2023	 Proposed Order Filed by: Prosecutor Attorney General's Office <i>Proposed Order</i>	Index #25
02/23/2023	Order Made (Judicial Officer: Messer, Amy B) <i>Env #2845176</i>	
02/22/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>Motion to Search</i>	Index #26
02/23/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #2845176</i>	
02/24/2023	 Motion for Services Filed by: Defendant Montgomery, Adam <i>Motion for Services Other Than Counsel</i>	Index #27
02/24/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #2846185</i>	
03/23/2023	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>State's motion to seal State's motion in lieu of search warrant, proposed order, and instant motion to seal</i>	Index #28
03/23/2023	Granted (Judicial Officer: Messer, Amy B)	
03/23/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>State's motion to search in lieu of search warrant</i>	Index #29
04/04/2023	 Proposed Order Filed by: Defendant Montgomery, Adam <i>Agreed Upon Proposed Order Env #2915415</i>	Index #38
03/23/2023	 Other Filed by: Prosecutor Attorney General's Office <i>order to Manchester comprehensive treatment center records</i>	Index #30
03/30/2023	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>State's Motion</i>	Index #31
03/31/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #2909370</i>	
03/30/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>State's Motion</i>	Index #32
03/31/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #2909370</i>	
03/30/2023	 Other <i>State's order</i>	Index #33
03/31/2023	Order Made (Judicial Officer: Messer, Amy B)	

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Env #2909370

03/31/2023	 Motion <i>Motion to unseal probable cause statement</i>	Index #34
04/03/2023	 Objection Filed by: Defendant Montgomery, Adam <i>Objection to Motion to Unseal</i>	Index #35
04/07/2023	 Response Filed by: Prosecutor Attorney General's Office <i>State's response to motion</i>	Index #40
04/03/2023	 CANCELED Preliminary Pretrial Conference <i>Env #2892544</i>	
04/04/2023	 Preliminary Pretrial Conference (Judicial Officer: Messer, Amy B) <i>Env #2895879</i> <i>Hearing Held</i>	
04/04/2023	 Other <i>Court Refusal</i>	Index #36
04/04/2023	 Agreement Filed by: Defendant Montgomery, Adam <i>Agreed Upon Response to State's Motion to Search in Lieu of Search Warrant</i>	Index #37
04/04/2023	Approved (Judicial Officer: Messer, Amy B) <i>Env #2915415</i>	
04/06/2023	 Bail Order Filed by: Prosecutor Attorney General's Office	Index #39
04/06/2023	Order Made (Judicial Officer: Messer, Amy B) <i>Preventive Detention Env #2918470</i>	
04/12/2023	 Motion to Seal Filed by: Prosecutor Attorney General's Office <i>Motion to seal ex parte</i>	Index #41
04/12/2023	Granted (Judicial Officer: Messer, Amy B) <i>Envelope 2929377</i>	
04/12/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>State's amended Ex Parte - under seal</i>	Index #42
04/12/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env#: 2929537</i>	
04/12/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>Order to search - ex parte under seal</i>	Index #43
04/12/2023	Granted (Judicial Officer: Messer, Amy B) <i>Envelope 2929545</i>	
04/12/2023		Index #44

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	Assented to Motion to Continue Trial Filed by: Defendant Montgomery, Adam <i>Assented to Motion to Continue</i>	
04/13/2023	Granted (Judicial Officer: Messer, Amy B) <i>Env #292849</i>	
04/12/2023	Waiver of Speedy Trial Filed by: Defendant Montgomery, Adam <i>Waiver of Speedy Trial</i>	Index #45
04/20/2023	Court Order (Judicial Officer: Messer, Amy B) <i>Order on WMUR-TV's Motion to Unseal/ Envelope 2943209</i>	Index #46
04/28/2023	Motion to Reconsider Filed by: Defendant Montgomery, Adam <i>Motion to Reconsider</i>	Index #47
05/01/2023	Response Filed by: Prosecutor Attorney General's Office <i>State's response to Defendants motion</i>	Index #48
05/02/2023	Motion Filed by: Intervenor Union Leader Corporation; Intervenor New England First Amendment Coalition <i>Petition and Motion to Intervene and to Unseal Court Records</i>	Index #49
05/02/2023	Appearance Filed by: Intervenor Union Leader Corporation; Intervenor New England First Amendment Coalition <i>Appearance of Gregory V. Sullivan</i>	Index #50
05/02/2023	Appearance Filed by: Intervenor Union Leader Corporation; Intervenor New England First Amendment Coalition <i>Appearance of Kathleen C. Sullivan</i>	Index #51
05/09/2023	Withdrawal Filed by: Defendant Montgomery, Adam <i>Withdrawal</i>	Index #52
05/15/2023	Court Order (Judicial Officer: Messer, Amy B)	Index #53
05/15/2023	Order Made (Judicial Officer: Messer, Amy B) <i>env 2985087</i>	
06/15/2023	Court Order (Judicial Officer: Messer, Amy B) <i>Env #3042206</i>	Index #54
07/03/2023	Court Order (Judicial Officer: Messer, Amy B) <i>Ex Parte State Under Seal/ Envelope 3068154</i>	Index #55
07/20/2023	CANCELED Final Pretrial <i>ENV #2731156</i>	
08/02/2023	CANCELED Jury Selection	

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Special Panel

08/03/2023 *CANCELED* **Jury Trial**

08/04/2023 *CANCELED* **Jury Trial**

08/07/2023 *CANCELED* **Jury Trial**

08/08/2023 *CANCELED* **Jury Trial**

08/09/2023 *CANCELED* **Jury Trial**

08/10/2023 *CANCELED* **Jury Trial**

08/11/2023 *CANCELED* **Jury Trial**

08/14/2023 *CANCELED* **Jury Trial**

08/15/2023 *CANCELED* **Jury Trial**

08/16/2023 *CANCELED* **Jury Trial**

08/17/2023 *CANCELED* **Jury Trial**

08/18/2023 *CANCELED* **Jury Trial**

08/21/2023 *CANCELED* **Jury Trial**

08/22/2023 *CANCELED* **Jury Trial**

08/23/2023 *CANCELED* **Jury Trial**

08/24/2023 *CANCELED* **Jury Trial**

08/25/2023 *CANCELED* **Jury Trial**

08/28/2023 *CANCELED* **Jury Trial**

08/29/2023 *CANCELED* **Jury Trial**

08/30/2023 *CANCELED* **Jury Trial**











08/31/2023 *CANCELED* **Jury Trial**

09/20/2023  **Motion to Continue Trial**





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Filed by: Defendant Montgomery, Adam
Motion to Continue Nov Trial

09/28/2023	Granted (Judicial Officer: Messer, Amy B) <i>for the reasons stated on the record..... ENV #3229282</i>	
09/21/2023	 Withdrawal Filed by: Defendant Montgomery, Adam <i>Co-Counsel Withdrawal</i>	Index #57
09/26/2023	 Transport Order <i>9/28 NHSP</i>	Index #58
09/28/2023	 Hearing-Motion to Continue (Judicial Officer: Messer, Amy B) <i>Transport Deft Env #3210079</i> <i>Hearing Held</i>	
09/29/2023	 Transport Order <i>FPT - emailed</i>	Index #59
09/29/2023	 Transport Order <i>JS - emailed</i>	Index #60
10/02/2023	 Appearance Filed by: Defendant Montgomery, Adam <i>Co-Counsel Appearance</i>	Index #61
10/17/2023	 Motion Filed by: Prosecutor Attorney General's Office <i>State's motion to compel Clinic records</i>	Index #62
11/01/2023	Order Made (Judicial Officer: Messer, Amy B) <i>Env #3289411</i>	
10/31/2023	 Assented to Motion Filed by: Prosecutor Attorney General's Office <i>Structuring Proposal</i>	Index #63
11/01/2023	Approved (Judicial Officer: Messer, Amy B) <i>Env #3289411</i>	
11/02/2023	 Response Filed by: Defendant Montgomery, Adam <i>Response to Motion to Compel Manchester Comprehensive Treatment Center's compliance</i>	Index #64
11/09/2023	 CANCELED Final Pretrial	
11/20/2023	CANCELED Jury Selection	
11/21/2023	CANCELED Jury Selection	
11/22/2023	CANCELED Jury Trial	
11/27/2023	CANCELED Jury Trial	

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11/28/2023	<i>CANCELED Jury Trial</i>	
11/29/2023	<i>CANCELED Jury Trial</i>	
11/30/2023	<i>CANCELED Jury Trial</i>	
12/01/2023	<i>CANCELED Jury Trial</i>	
12/04/2023	<i>CANCELED Jury Trial</i>	
12/05/2023	<i>CANCELED Jury Trial</i>	
12/06/2023	<i>CANCELED Jury Trial</i>	
12/07/2023	<i>CANCELED Jury Trial</i>	
12/08/2023	<i>CANCELED Jury Trial</i>	
12/11/2023	<i>CANCELED Jury Trial</i>	
12/12/2023	<i>CANCELED Jury Trial</i>	
12/13/2023	<i>CANCELED Jury Trial</i>	
12/13/2023	 Ntc of Eligibility and Appt of Counsel <i>Charges: 2, 3, 4, 5</i>	<i>Index #65</i>
12/13/2023	 Motion in Limine Filed by: Defendant Montgomery, Adam <i>Motion to Preclude Defendant's Encounter with Law Enforcement December 31, 2021</i>	<i>Index #66</i>
12/22/2023	 Objection Filed by: Prosecutor Attorney General's Office <i>State's Objection to Motion to Preclude Defendant's Encounter with Law Enforcement on December 31, 2021</i>	<i>Index #71</i>
12/13/2023	 Agreement Filed by: Defendant Montgomery, Adam <i>Agreement to incorporate suppression pleadings and orders</i>	<i>Index #67</i>
12/14/2023	Approved (Judicial Officer: Messer, Amy B) <i>Envelope 3370653</i>	
12/14/2023	<i>CANCELED Jury Trial</i>	
12/15/2023	<i>CANCELED Jury Trial</i>	
12/18/2023	<i>CANCELED Jury Trial</i>	

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12/20/2023	CANCELED Jury Trial	
12/21/2023	CANCELED Jury Trial	
12/21/2023	 Motion in Limine Filed by: Defendant Montgomery, Adam <i>Motion in Limine</i>	Index #68
01/02/2024	 Objection Filed by: Prosecutor Attorney General's Office <i>STATES PARTIAL OBJECTION TO MIL RE ALLEGATIONS OF PRIOR BAD ACTS</i>	Index #76
12/21/2023	 Motion in Limine Filed by: Defendant Montgomery, Adam <i>Motion in Limine</i>	Index #69
01/02/2024	 Objection Filed by: Prosecutor Attorney General's Office <i>State's Partial Objection to Defendant's Motion in Limine Impeachment Evidence re: Kayla Montgomery</i>	Index #74
12/21/2023	 Motion in Limine Filed by: Defendant Montgomery, Adam <i>Motion in Limine</i>	Index #70
01/02/2024	 Objection <i>State's Objection to MIL Re: Home Depot</i>	Index #75
12/22/2023	CANCELED Jury Trial	
12/27/2023	 Witness List Filed by: Prosecutor Attorney General's Office <i>State's Amended Witness List</i>	Index #72
01/02/2024	 Witness List Filed by: Prosecutor Attorney General's Office <i>State's Amended Witness List</i>	Index #73
01/16/2024	 Final Pretrial (Judicial Officer: Messer, Amy B)	
02/06/2024	Jury Selection (Judicial Officer: Messer, Amy B)	
02/07/2024	Jury Trial (Judicial Officer: Messer, Amy B)	
02/08/2024	Jury Trial (Judicial Officer: Messer, Amy B)	
02/09/2024	Jury Trial (Judicial Officer: Messer, Amy B)	
02/12/2024	Jury Trial (Judicial Officer: Messer, Amy B)	
02/13/2024	Jury Trial (Judicial Officer: Messer, Amy B)	

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02/14/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/15/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/16/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/20/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/21/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/22/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/23/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/26/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/27/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/28/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)
 02/29/2024 **Jury Trial** (Judicial Officer: Messer, Amy B)

TARGET DATE	TIME STANDARDS	
12/31/2023 ***Overdue***	10 Day T/S	12/21/2023 ***Open***
12/31/2023 ***Overdue***	10 Day T/S	12/21/2023 ***Open***
12/31/2023 ***Overdue***	10 Day T/S	12/21/2023 ***Open***
01/02/2024 ***Overdue***	"T" for today	01/02/2024 ***Open***
01/02/2024 ***Overdue***	"T" for today	01/02/2024 ***Open***
01/02/2024 ***Overdue***	"T" for today	01/02/2024 ***Open***