

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

Court Name: Hillsborough Superior Court Northern District

Case Name: State of New Hampshire v. Adam Montgomery

Case Number: 216-2022-CR-02372  
(if known)

**MOTION:** Motion to Unseal Probable Cause Statement

1. I David Sakowich, Managing Editor at WMUR-TV am filing this motion on my own behalf  
AND/OR

I am a person authorized by court rules to appear on behalf of another in this case. I am filing this motion on behalf of \_\_\_\_\_

2. The facts supporting this motion are:  
**See attached document.**

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3. With this motion, I am requesting the following relief:

**WMUR-TV is asking the court to unseal the probable cause statement filed by the New Hampshire**

**Attorney General's office on October 25, 2022. The probable cause statement was sealed by order of the**

**court at the state's request.**

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4.  The other party  does  does not agree with the relief requested in this motion.

OR

I was unable to or did not obtain the other party's opinion on this motion because:

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Case Name: State of New Hampshire v. Adam Montgomery

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MOTION:

**For non e-filed cases:**

I state that on this date I am  mailing by U.S. mail, or  Email (only when there is a prior agreement of the parties to use this method), or  hand delivering a copy of this document to:

NH Attorney General

or NH Public Defender

Other party

Other party's attorney

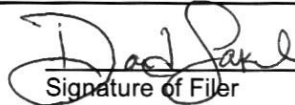
**OR**

**For e-filed cases:**

I state that on this date I am sending a copy of this document as required by the rules of the court. I am electronically sending this document through the court's electronic filing system to all attorneys and to all other parties who have entered electronic service contacts (email addresses) in this case. I am mailing or hand-delivering copies to all other interested parties.

**David Sakowich**

Name of Filer



Signature of Filer

Date

Law Firm, if applicable

Bar ID # of attorney

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FOR COURT USE ONLY

[Empty box for court use only]



March 31, 2023

State of New Hampshire v. Adam Montgomery (216-2022-CR-0372)

**Facts supporting the motion to unseal probable cause statement**

WMUR-TV respectfully requests that this Court unseal the Probable Cause Statement filed on October 25, 2022 in the above-referenced matter by the New Hampshire Attorney General's Office. The court sealed this document at the request of the state presumably because the release of the probable cause statement and information contained in the document could compromise the integrity of the investigation.

On January 23, 2023, the Hillsborough County Grand Jury returned indictments charging the defendant, Adam Montgomery with 2<sup>nd</sup> Degree Murder, Falsifying Physical Evidence, and Tampering with Witnesses and Informants.

While we are unaware of the basis upon which the Court initially sealed the Probable Cause Statement, we respectfully believe that, because the defendant now has been indicted on murder and other charges and a trial date has been set for August 2023, the great public interest in this case outweighs any basis for the continued sealing of the Probable Cause Statement.

Please also note that, we believe the unsealing of the Probable Cause Statement at this point in the prosecution of the case would be consistent with other criminal prosecutions where the Office of the Attorney General has sought to unseal previously sealed Probable Cause Statements specifically noting that because the defendant had been "indicted, and the indictments have been made public, there

is no further need for the items listed above to remain sealed.” See, e.g., *State of New Hampshire v. Logan Clegg*, (Case 217-2022-CR-1226) (attached). While it is my understanding that this Court will consider motions filed by members of the press and public in this format, should the Court prefer that WMUR file a motion through counsel, we will promptly do so.

Respectfully submitted,

David Sakowich  
Managing Editor, WMUR-TV  
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dsakowich@hearst.com

**STATE OF NEW HAMPSHIRE**

**MERRIMACK, SS**

**SUPERIOR COURT**

**STATE OF NEW HAMPSHIRE**

**v.**

**LOGAN CLEGG**

**No. 217-2022-CR-1226**

**STATE'S MOTION TO UNSEAL**

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 unseal the Arrest Warrant, Search Warrants, Applications, Accompanying Affidavits, and Returns in this case. In support of its request, the State says as follows:

1. On October 18, 2022, the State applied for and was granted an arrest warrant for the defendant, Logan Clegg, for the murders of Stephen and Djeswende Reid on or about April 18, 2022. The defendant was arrested on the warrant in Burlington, Vermont, on October 19, 2022, and charged in that jurisdiction with being a fugitive from justice. The defendant ultimately waived extradition and was transported back to New Hampshire on October 25, 2022. On October 25, 2022, the State filed complaints charging the defendant with two counts of second-degree murder, RSA 630:1-b, I(a). The defendant waived arraignment and is being held without bail pending trial.

2. On January 19, 2023, the Merrimack County Grand Jury returned indictments charging the defendant with two counts of second degree murder, RSA 630:1-b, I(a), two counts of second degree murder, RSA 630:1-b, I(b), three counts of falsifying physical evidence, RSA 641:7, and one count of being a felon in possession of a firearm, RSA 159:3. The indictments

were made public on January 24, 2023, and an arraignment has been scheduled for January 30, 2023.

3. In addition to the arrest warrant, the State applied for and was granted several search warrants as part of the investigation into this matter. Each of the warrants, including the applications, affidavits, and returns, was sealed by order of the court, upon the State's motion, on the grounds that premature disclosure of the information contained therein could compromise the integrity of the ongoing investigations by revealing the identities of witnesses, the officers involved, and investigative information known only to the authorities.

4. Since the defendant has been indicted, and the indictments have been made public, there is no further need for the items listed above to remain sealed. The State therefore respectfully requests that the Court grant its motion and unseal all previously sealed warrant materials, as described above.

5. The defendant, through counsel, has indicated that he will object to this motion.

WHEREFORE, the State respectfully requests that this Honorable Court:

- A. Unseal the arrest warrant and search warrants in this case, including the applications, affidavits, warrants, and any returns; and
- B. Order such other and further relief as may be just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

JOHN M. FORMELLA  
Attorney General

Date: January 27, 2023

/s/ Joshua L. Speicher  
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