

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

HILLSBOROUGH, SS.
Northern District

FEBRUARY TERM, 2024

State v. Adam Montgomery

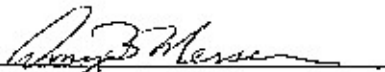
216-2022-CR-02372

ORDER

Pursuant to RSA 516:34, by letter dated February 12, 2024, and accompanying oral motion, the Attorney General for the State of New Hampshire has requested an Order from this Court requiring Anthony Bodero to provide testimony in the above-captioned matter of State of New Hampshire v. Adam Montgomery, which testimony Anthony Bodero may refuse to provide on the basis of his privilege against self-incrimination. In his request, the Attorney General has stated that in his judgment the testimony of Anthony Bodero is necessary to the public interest.

Pursuant to RSA 516:34, and based upon the Attorney General's request, the Court orders that Anthony Bodero shall provide testimony in the above-captioned matter of State of New Hampshire v. Adam Montgomery. Further, no testimony or other information compelled under this Order, or any information directly or indirectly derived from such testimony or other information, may be used against Anthony Bodero in any criminal case or forfeiture. However, Anthony Bodero may be prosecuted or subject to any penalty or forfeiture for any perjury, false swearing, or contempt committed in answering or failing to answer, or in producing or failing to produce evidence in accordance with this Order.

SO ORDERED:


Presiding Justice

DATED: 2/13/2024

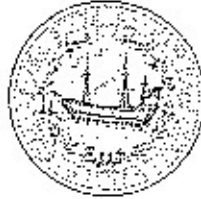
Amy B. Messer

**ATTORNEY GENERAL
DEPARTMENT OF JUSTICE**

1 GRANITE PLACE SOUTH
CONCORD, NEW HAMPSHIRE 03301

JOHN M. FORMELLA
ATTORNEY GENERAL

JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL



February 12, 2024

Benjamin J. Agati, Esq.
Senior Assistant Attorney General
Office of the Attorney General
1 Granite Place South
Concord, New Hampshire 03301

RE: State v. Adam Montgomery; Death of Harmony Montgomery

Dear Attorney Agati:

You have advised me that you may request an order from the Hillsborough County Superior Court – Northern District requiring Anthony Bodero (DOB [REDACTED]), currently of Concord, to give court ordered testimony, and that he refuses, or may refuse, to give or provide such testimony on the basis of his privilege against self-incrimination.

Pursuant to RSA 516:34, I approve your request to seek issuance of this order. In my judgment, the testimony of Anthony Bodero may be necessary to the public interest, and I am aware that Mr. Bodero has refused, or may likely refuse, to testify on the basis of self-incrimination.

Accordingly, pursuant to RSA 516:34, you may seek an order from the Hillsborough County Superior Court – Northern District requiring Anthony Bodero to testify at trial in this matter and that no testimony or other information compelled under the order, or any information directly or indirectly derived from such testimony or other information, may be used against Mr. Bodero in any criminal case or forfeiture proceeding. However, such order shall also state that Mr. Bodero may be prosecuted or subject to penalty or forfeiture for any perjury, false swearing, or contempt committed in answering or failing to answer, or in producing or failing to produce evidence in accordance with such order.

Very truly yours,

A handwritten signature in black ink, appearing to read "John M. Formella".

John M. Formella
Attorney General