

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

HILLSBOROUGH, SS.
Northern District

MARCH TERM, 2023

THE STATE OF NEW HAMPSHIRE

v.

ADAM MONTGOMERY

Case No. 216-2022-CR-02372

TO BE PLACED UNDER SEAL PURSUANT TO N.H.R. CRIM. PROC. 50

STATE'S EX PARTE MOTION TO SEARCH IN LIEU OF SEARCH WARRANT

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 authorize the search Chime Financial, Inc., accounts registered to Adam Montgomery and Kayla Montgomery, in order to collect evidence in connection with this case. This request is made *ex parte*, in lieu of an application for a search warrant. *See State v. Delisle*, 137 N.H. 549, 552 (1993) (noting that after indictment, “the preferred procedure for obtaining . . . evidence [is] by motion before the superior court.”). In support of this motion, the State submits as follows:

1. Beginning on December 27, 2021, multiple law enforcement agencies began an investigation into a missing child, H.M. (DOB: 06/07/2014), from Manchester, NH. On October 25, 2022, application was made by way of affidavit for arrest warrant for Adam Montgomery (DOB: 01/22/1990) for charges of Second Degree Murder, Tampering with Witnesses, Falsifying Physical Evidence, and Abuse of a Corpse.

2. The Defendant was arrested on or about October 26, 2022. The defendant has been arraigned and counsel has been appointed.

Granted



Honorable Amy B. Messer

March 31, 2023

Clerk's Notice of Decision
Document Sent to Parties
on 04/03/2023

3. As relevant to the present motion, the attached Probable Cause Statement outlines the facts and circumstances establishing probable cause. *See Attachment A* (Probable Cause Statement for Search Warrant). As noted in the Probable Cause Statement, H.M.'s remains have not yet been located.

4. On March 16, 2023, the investigators with the Manchester Police Department conducted a proffer with the Defendant's spouse, Kayla Montgomery (DOB: 08/31/1990). Investigators learned during the period when H.M. was murdered, and her body disposed of, the Defendant and his wife used a Chime card to make everyday purchases.

5. Based on the facts and circumstances outlined in this motion and the attached Probable Cause Statement there is probable cause to believe that evidence of the crimes of Murder, pursuant to RSA 630, Tampering with Witnesses, pursuant to RSA 641:5, Falsifying Physical Evidence, pursuant to RSA 641, and/or Abuse of a Corpse, pursuant to RSA 644:7 may be found in the possession of the Chime Financial, Inc., these filings also document the need for this pleading to be made both under seal and *ex parte* to eliminate risk that the defendant or his spouse will cause the destruction, removal, or otherwise impaired availability of said evidence before this Court's review and/or its presentation at trial.

WHEREFORE, the State of New Hampshire respectfully requests that this Honorable Court:

- A. Find that there is probable cause to believe that evidence of the crime of homicide may be found in Chime accounts registered to Adam Montgomery and Kayla Montgomery;
- B. Grant the State's request to search; and
- C. Order such further relief as may be just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: March 30, 2023

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Attachment A

ATTACHMENT A TO SEARCH WARRANT APPLICATION
FOR CHIME FINANCIAL ACCOUNTS REGISTERED
TO KAYLA MONTGOMERY AND ADAM MONTGOMERY

INTRODUCTION AND BACKGROUND

1. I am a Police Officer with the city of Manchester, NH and have been so since November of 2015. Prior to Manchester I was a Police Officer with the town of Winchester, NH from July 2013 to November 2015. I graduated from the New Hampshire Police Standards and Training Class 162 in December 2013. I have held the rank of Detective with the Manchester Police Department since September 2018. My duties and responsibilities as a Detective include the initial investigation as well as follow-up investigation of crimes that occur in Manchester, NH. I have conducted various investigations to include sexual assaults, assaults, child pornography, homicides, and other serious crimes.
2. I have received training from the Manchester Police Department in-house training academy and the New Hampshire Police Standards and Training Council full-time police academy. I have also attended numerous training courses covering many different aspects of investigations.
3. The information set forth below is based on information known to me personally through my own investigation and through my communications with other Manchester Police Officers. Additionally, I reviewed police reports prepared by Manchester Police Officers detailing their involvement in this investigation. This affidavit does not contain every fact known to me or other investigators. Rather, it contains material information relevant to determining whether there is sufficient probable cause to believe that the crime of homicide (RSA 630) has been committed, and whether evidence of said crime will be found in the records of Chime Financial, Inc. accounts held by Kayla Montgomery and Adam Montgomery.

IDENTIFICATION OF THE PROPERTY AND PERSON TO BE SEARCHED

4. The property to be searched are the records of Chime accounts held by Kayla Montgomery and Adam Montgomery. Chime is Chime Financial, Inc., which is headquartered in San Francisco, California. On information and belief, Chime submits to lawfully issued legal process served by either their law enforcement portal, fax, or U.S. mail.

PROBABLE CAUSE

5. On 11/18/2021, the Manchester Police Department received a call from a woman determined to be Crystal Sorey regarding her daughter Harmony Montgomery (DOB 6/7/2014). Sorey reported that Harmony, who was in the physical custody of Sorey's ex, was missing, and that she hadn't seen Harmony in over six months. Sorey identified her ex as Adam Michael Montgomery. An employee of the Manchester Police Department contacted DCYF and learned of previous addresses associated with Adam. Manchester Police Officers checked those addresses, but were unable to locate Adam or Harmony
6. On 12/27/2021, DCYF notified the Manchester Police Department that they were unable to locate Harmony. Consequently, the Manchester Police Department initiated an investigation into the whereabouts of Harmony. Over the following days, members of the Manchester Police Department learned that Harmony had not been physically seen since approximately October/November 2019. Harmony's biological mother, Crystal Sorey (DOB 9/14/1990), who resides in MA, notified authorities that she had not seen Harmony since around Easter of 2019 (approximately 4/21/2019). The child had been in the physical and legal custody of her biological father, Adam Montgomery, pursuant to a Decision & Order from the Lawrence Juvenile Court, Docket No. 14CP0268LA, from Essex County, MA, dated 2/21/2019.
7. The case was subsequently assigned to me. During my follow up with Crystal, she explained that she had lost custody of the child in July 2018 to the State of Massachusetts in part due

to a substance abuse issue. Crystal said that both she and Adam had past issues with substance abuse.

8. Crystal reported that since then she has regained sobriety, and had unsuccessfully made attempts in throughout 2021 to locate Adam and Harmony. Adam and his subsequent partner Kayla Montgomery (DOB 8/31/1990), had blocked all communication with Crystal through phone numbers and social media applications. Crystal said over the years she made attempts to locate Harmony by contacting various schools and driving by addresses associated with Adam, but she was unable to make any progress.
9. Crystal said that she last saw Harmony was during a FaceTime video call with Adam around Easter 2019. Crystal stated that Adam was visible in the background of the video call. Crystal recalled that Harmony seemed frightened, and believes that was the last time she actually saw her daughter.
10. Beginning on 12/27/2021, members of the Manchester Police Department actively made attempts to track down Adam and to talk to involved family members to establish the last time that Harmony was physically observed and known to be safe. Officers and investigators were initially unable to make contact with Adam via phone. However, investigators were able to make contact with various family members including parties associated with Adam who reside in Florida. Through these family members, investigators received information that Adam had previously admitted to giving Harmony a black eye in approximately July 2019.
11. On 12/28/2021, I spoke with Adam's wife, Kayla Montgomery. Kayla shares three younger children with Adam who are all presently accounted for. During my follow up with Kayla, I asked about the last time she had physically seen Harmony. Kayla said that sometime in

November or December of 2019, she saw Harmony one morning prior to going to work. Adam said that he was driving Harmony back to Crystal who was living in Lowell, MA at the time. Kayla said that she believed Harmony had been returned to Crystal. Kayla claimed she never saw or heard about Harmony after that day.

12. Kayla had not physically seen Adam since late October 2021 and had not spoken with him since around mid-November 2021. Kayla claimed Adam was living in a sober house and had then left the area to live in Maine with another female.
13. On 12/31/2021, patrol officers were able to make contact with Adam and his new girlfriend Kelsey Small together sleeping in a vehicle in the area of Harvell Street in Manchester. Investigators including myself, Detective Kozowyk, and Detective Riley responded to that location to speak with the couple.
14. Small claimed that she has been romantically involved with Adam for over a year. Small said that she is aware that Adam has three children from one mother, and another child from before that. However, Small said that Adam was not in touch with any child from his prior relationship. Small claimed that Adam has never talked about Harmony, and she had no information on where she may be.
15. During the roadside interview with Adam, he made some contradictory statements during the interaction which raised our suspicion and concern for Harmony's well-being. Initially, Adam told me that Harmony was fine and he had seen her somewhat recently. However, as the conversation continued, Adam said that he had not seen Harmony since Crystal came to pick her up in Manchester, NH around Thanksgiving 2019.
16. We emphasized that our primary concern is locating Harmony and establishing that she is safe. Adam stopped answering questions multiple times and stated, "I have nothing else to

say.” During our interaction with Adam, we stressed our concern that Harmony had not been physically observed in over two years, and that we had concern for whether or not she was still alive. Adam did not exhibit much emotion or reaction to this. Adam said that he believed Harmony was in Massachusetts with her mother. Adam claimed he did not know why Crystal would say anything to the contrary. Similarly, he told us, “I have nothing else to say.”

17. Also on 12/31/21, Kayla Montgomery participated in a voluntary interview with Detective Riley and myself. During this interview she spoke about the last time she saw Harmony. In this interview she told us that two days after Thanksgiving 2019 Adam had taken her to work, which she said was a 6:00 a.m. to 2:00 p.m. shift at Dunkin Donuts on Eddy Road [in Manchester]. She said that while Adam was dropping her off he said he was bringing Harmony to her (Harmony’s) mom, and he was going to meet her (Harmony’s) mom and bring Harmony to be with her. Kayla said that later that day Adam picked her up and he no longer had Harmony, and he said he just dropped Harmony off. Kayla said she assumed Adam dropped Harmony off in Massachusetts as that is where Crystal was living at the time.
18. Detectives noted discrepancies between Adam’s account that Crystal came up to Manchester to pick up Harmony, and Kayla’s account that Adam claimed he was bringing Harmony to Crystal, the most concerning discrepancies being that Harmony’s mother outright denied ever taking custody of Harmony from Adam at that time, or ever seeing Harmony following the video chat in April 2019. The investigation revealed that in November 2019, Crystal lived at 39 Chapel Street #3 in Lowell, MA with her boyfriend, Joseph Eckert (DOB 12/17/89). On 12/31/21, Joseph was interviewed, and he stated that he was living with Crystal in 2019, and Harmony was not with Crystal at all from October 2019 to present. In fact, Joseph stated

that he has never met Harmony in person. A review of DCYF involvements indicated that social workers had not viewed Harmony since 10/1/2019, during a home visit.

19. Not only have family members not seen Harmony since 2019, DCYF contacted the Manchester School District on 9/10/2021. A representative from the School District stated that Harmony was not registered in the District.
20. On 12/31/2021, the 9th Circuit-Family Division-Manchester granted DCYF protective supervision of Harmony to DCYF from Adam, Harmony's sole custodian. The order states specifically that Adam will cooperate with MPD and assist with locating Harmony. Detective Riley served Adam with that order on 12/31/2021 at approximately 1610 hours; however, Adam refused to provide any information on the whereabouts of Harmony. When given the Order by MPD and asked for information about Harmony's whereabouts, Adam said words to the effect of, "Not talking to you," "I have nothing to say," and "If I'm not under arrest, I'm leaving."
21. Adam was arrested on charges related to Harmony on 01/04/2022 and was formally charged and arraigned on 01/05/2022. He has been detained at the Hillsborough County House of Corrections since that date.
22. On 5/20/22 Kayla Montgomery testified before the Grand Jury for Hillsborough County Northern District as part of the Grand Jury's investigation into the disappearance of Harmony Montgomery. Kayla was under oath for her testimony. During her testimony, Kayla was asked about the last time she saw Harmony. She stated, in sum, that it was two days after Thanksgiving 2019, when Adam dropped her off for a 6:00 a.m. to 2:00 p.m. shift at Dunkin' Donuts in Goffstown. Harmony was in the car, and Adam said he was bringing Harmony to her (Harmony's) mother. When Adam picked Kayla up a little after 2:00 p.m., Harmony was

no longer with Adam, and Adam said he brought Harmony to her (Harmony's) mom. At this time, Kayla said she never saw Harmony after that, and she didn't know what happened to Harmony.

23. Investigators researched Kayla's claim about the location and shift she was working two days after Thanksgiving 2019, which was 11/30/19. All Dunkin' Donuts locations in Goffstown confirmed that Kayla was not working there on 11/30/19. Records obtained from New Hampshire Employment Security showed that the only employer who paid Kayla in November 2019 was a Dunkin' Donuts in Hooksett, NH, and that Dunkin' Donuts confirmed that Kayla was fired from that location on 11/23/19. As a result, an arrest warrant was obtained for Kayla for two charges of perjury.
24. Kayla was arrested on the perjury charges on 6/3/22. On that same day, Kayla participated in a proffer interview at Manchester Police Department. Her attorney was present for the interview.
25. During the proffer interview, Kayla admitted she had lied during her grand jury testimony. She stated that she had information related to Harmony Montgomery. Kayla stated that the family (herself, Adam, Harmony, and their two other children) was evicted from where they were living on Gilford Street in Manchester the day before Thanksgiving 2019, which would have been 11/27/19. Kayla said after that they were living in their vehicle, which we know to be a Chrysler Sebring. Kayla stated that on the day the Chrysler Sebring broke down (know to be 12/7/19), Adam Montgomery struck Harmony which caused her death. Kayla stated that while living in the vehicle together, Adam was extremely upset that Harmony was not saying when she needed to go to the bathroom and was having accidents. Kayla stated that

after each accident Adam would get upset and would strike Harmony in the face/head with a closed fist.

26. Kayla stated that on 12/7/19, prior to the vehicle breaking down, Adam struck Harmony in the face/head on three separate occasions. This happened while Adam was driving the vehicle; Kayla described that Harmony was in the rear seat on the passenger side, and while Adam was driving he turned his body and delivered sets of 3-4 blows to Harmony's face/head on three separate occasions. Kayla stated that after the third occasion, Harmony began making a moaning type noise which went on for roughly five minutes and then stopped. At no time did anyone stop or get Harmony medical attention as the result of this assault. Kayla said this happened in the morning while the family was on their way to the Burger King on Route 3 in Manchester, and afterwards the family returned to the parking lot of the Colonial Village apartments on River Road in Manchester.
27. Kayla said that the family later left the Colonial Village apartments, and shortly thereafter their car died. Kayla said she thought the car died at probably 8:00 or 9:00 a.m. According to Manchester Police Department records, the car was dead in the intersection of Elm Street and Webster Street at approximately 12:11 p.m. on 12/7/19. Kayla said it was at that time that she and Adam discovered that Harmony was not breathing and was deceased. Kayla stated that Adam went to the trunk of the vehicle, removed clothing from a black and red Under Armour duffle bag and placed the lifeless body of Harmony into the bag.
28. Kayla stated at no point did either of them have any conversation about getting any type of lifesaving measures for Harmony, and that Adam simply put Harmony's dead body into the bag and walked it back to the parking lot of the Colonial Village apartments, where they then spent several days living in a vehicle belonging to a friend. Kayla described Adam as keeping

the bag with Harmony's body inside of the trunk of the vehicle, but also would leave it out on the snow to stop the decomposition of the body from happening.

29. Kayla went on to explain how Harmony's body was moved to various locations over the course of the next several months. She stated that after living in their friend's vehicle at the Colonial Village apartments, that they then moved in with her mother, Christina Lubin (DOB 3/23/70), and her mother's boyfriend, John Galyon (DOB 9/6/65), at 258 Dubuque Street #1, Manchester, NH. Kayla said that when they arrived at the residence, Harmony's body, which was in a duffle bag, was placed inside of a red cooler with a white top in the common hallway of the apartment building. She stated the body was left there the whole time the family stayed there, until the end of December 2019.
30. After Kayla's proffer interview, I travelled to 258 Dubuque St #1 and obtained a consent to search from Lubin and Galyon. I explained to Lubin that I needed to obtain a red cooler with a white lid. Lubin stated the cooler had been in her bedroom closet for close to two years. I asked her if this cooler had previously been in the common hallway and she confirmed it was. Lubin and Galyon consented to the search and seizure of the cooler. Processing of the cooler for potential evidence is still pending.
31. Law enforcement previously knew, and Kayla confirmed in her 6/3/22 proffer interview, that after leaving her mother's house the family (Adam, Kayla, and their two common children at the time) moved into a Families in Transition ("FIT") shelter at 117 Lake Ave. #1, Manchester, NH. In her proffer interview Kayla said that the Under Armour bag with Harmony's body was brought to the FIT shelter as well. Kayla said that Adam placed it in the ceiling vent in the bedroom. Kayla stated that during this time, there was liquid coming

from the bag containing Harmony's dead body, and Adam placed a trash bag around it to keep it from leaking.

32. On 06/04/22, detectives conducted a search of 177 Lake Ave #1. During the search of the apartment, detectives located a ceiling vent in the bedroom. On the top side of the ceiling sheetrock, next to the opening for the ceiling vent, detectives located a large area of staining that is believed to be residue from the decomposing body of Harmony Montgomery. This area is directly next to the ceiling vent where Kayla Montgomery described Adam Montgomery to have put Harmony's deceased body. This area had a smell consistent with decomposition. A section of the ceiling sheetrock where the staining was located was cut out and submitted to the New Hampshire State Lab for testing. On 6/9/22, the Lab confirmed that serology testing on the ceiling section produced several positive samples for human fluids which are presently being worked in DNA.
33. The below photo depicts the large area of staining on the top side of the ceiling sheetrock next to the vent shaft at 177 Lake Ave. #1. This photo was taken after the sheetrock was cut out of the ceiling. The hole surrounded by metal on the left side of the cutout is where the vent shaft was located. The staining is immediately to the right of the vent shaft hole, and is circled in this photo:



34. On 06/04/22, I received a copy of maintenance reports from 177 Lake Ave. In review of the reports it was noted on 02/5/20, the residents of apartment #2 noted that there was a slight odor when they turned on the heat. In addition, on 02/21/20 there was a report of a weird smell coming from the vents inside of apartment #1, which was requested to be looked at. This was the same unit where Adam and Kayla had lived, and it was made just after they moved out.
35. In Kayla's proffer interview on 6/3/22, she stated that after living at 177 Lake Ave. #1, they (Adam, Kayla, and their two common children at the time) moved to an apartment at 644 Union Street in Manchester. Police were previously in possession of a lease agreement that was apparently signed by Adam and Kayla Montgomery on 2/20/20 for themselves and two children to lease 644 Union Street, 2nd Floor, Apt. No. 2.
36. Kayla said that when they moved to the apartment at 644 Union Street, they brought Harmony's body with them. She said that Adam put the Under Armour duffle bag with Harmony's body (which was inside of a trash bag) into a plastic bin storage container, which was then pushed on a stroller from 177 Lake Ave over to 644 Union Street. Kayla said that

Adam first placed the plastic bin storage container into a closet in the bedroom of 644 Union Street #2. Kayla said that Adam then at one point took the Under Armour bag out of the plastic bin storage container, and that the Under Armour bag was leaking. Kayla said Adam put another trash bag around the Under Armour bag, and placed it into the refrigerator of 644 Union Street #2.

37. Kayla stated that at some point after Harmony's body was in the refrigerator, Adam transferred Harmony's body from the Under Armour duffle bag into a new bag. Kayla stated that this happened in the bathroom. Kayla stated that on the day in question Adam spent four to six hours inside of the bathroom at 644 Union Street #2 with the shower running, and as she explained this she made a cutting motion with her hand. Kayla then described Adam as placing Harmony's dead body inside of what she described as a Catholic Medical Center ("CMC") maternity bag. This bag was much smaller than the Under Armour duffle bag, and it would not likely fit Harmony's body unless it was distorted or dismembered. Kayla described an odor coming from the bathroom and saw steam coming from the bathroom when Adam would open the door. Kayla recalled the scent of cleaning supplies in the bathroom when Adam had finished up. Kayla stated that afterwards Adam placed the CMC maternity bag inside of the freezer in 644 Union Street #2. She described the refrigerator/freezer as a standard over/under refrigerator/freezer combo.
38. Kayla stated that Adam kept the CMC bag inside of the freezer until sometime during the spring of 2020, when Adam rented a U-Haul and during the twilight hours made a trip to an unknown destination to dispose of Harmony's dead body. Kayla stated she did not know the location of where Adam dumped Harmony's body. Kayla stated that Adam returned in the morning hours, but she could not recall an exact time.

39. Kayla stated that around the time that Adam disposed of Harmony's body, that they stayed in the Econo Lodge or Comfort Inn in Manchester, NH. She said Adam brought the CMC maternity bag with Harmony's body to the hotel and placed it in the mini-refrigerator in the room prior to dumping it. Kayla said that they were accompanied by Travis Beach (DOB 07/26/84) and his girlfriend only known to her as "Britney." Manchester Police know "Britney" to be a reference to a specific person; Britney Bedard (DOB 11/29/90). Kayla recalled that Adam went to rent the U-Haul with either Travis, Britney, or both. Kayla saw the U-Haul from the hotel window, and she described it as a van with large "19.99" on the back, which is consistent with the lettering/numbering on a U-Haul rental vehicle.
40. Kayla said that after the U-Haul was rented, in the middle of the night at approximately midnight or 1:00 a.m., Adam told her he was leaving and he would be back, and he took the CMC maternity bag. She didn't see him have anything else with him. Kayla said Adam didn't want her to know where he was going "in case something like this happened." Kayla said Adam then returned at approximately 5:00 or 6:00 a.m. that same morning. When he returned, he seemed very tired, and he said words to the effect of "it's done." Kayla said she didn't see the CMC maternity bag after that.
41. Around the time that the Manchester Police Department began looking into the whereabouts of Harmony, the Department established a 24/7 tip line so members of the public could call in with any information. On 02/26/2022, Police Service Specialist ("PSS") Stratton advised that there was a call that came through the Harmony Montgomery tip line. PSS Stratton noted that the tip came from phone number 603-205-5255. I called the tipster, who wanted to remain anonymous. The tipster stated that a Jennily Paris (DOB 11/21/82) and her boyfriend Travis Beach had come to their residence a month ago and disclosed that approximately two

years ago Adam Montgomery frantically asked Beach if he could rent Adam a U-Haul truck. The tipster stated that Adam did not disclose what the U-Haul truck was going to be used for, but stated that Adam asked Beach in a frantic manner to rent the vehicle.

42. Detective Feliciano located Beach and Paris at 1361 Elm Street in the rear parking lot of the apartment building in their vehicle and attempted to interview Beach. Beach was uncooperative and stated he would not answer any questions unless it was with his attorney or probation/parole officer.
43. On 3/9/22, Deputy U.S. Marshall Tufts and I made contact with Beach at the Hillsborough County Probation and Parole Office. I asked Beach to tell us about Adam asking for a U-Haul. Beach stated he recalled it was around wintertime of 2019/early 2020. Beach stated that he had run into Adam on the street in the area of Union/Bridge at the convenience store. Adam continued to say, "I fucked up, I'm so fucked." Beach stated Adam wouldn't tell him what he meant when he said "I fucked up, I'm so fucked." Beach stated he was with Britney Bedard and Adam was with Kayla and their two boys. Beach was asked if he had ever seen Harmony and he stated he had not. Adam asked them to rent him a U-Haul, and he recalled Britney getting him a box truck from the U-Haul on South Willow Street in Manchester. Beach stated they left from there and the next day Britney called U-Haul to make sure Adam had returned it, and he had.
44. Beach stated he had never heard of or seen Harmony, and only knew Adam to have two sons. Beach stated he thinks Adam and Kayla were living on the second floor of an apartment on Union Street at the time of the U-Haul incident. Beach was asked if he ever knew Adam and Kayla to have a car, and he stated he had never seen them with a car. Beach was asked why he hadn't been cooperative before, and he stated once he saw things in the news he put two

and two together and thought maybe it was related. As I continued to ask Beach questions, he asked what I was getting at and stated he wanted an attorney.

45. On 4/20/22 Det. Rahill and I interviewed Bobby Johnson (DOB 08/10/81), an inmate at the Hillsborough County House of Corrections who wished to speak with us about the Harmony Montgomery investigation, specifically in regards to Travis Beach who Johnson had known for 7-8 years. Johnson stated he had a conversation with Travis Beach a few weeks prior, at the end of March or beginning of April 2022. Johnson stated they were at a drug house getting high and smoking crack. Beach stated he had something to tell Johnson that was eating at him. Beach stated Adam (Montgomery) was one of his best friends. Johnson stated also present was Beach's girlfriend Jennily Paris. Beach stated Adam called him and came over to his place and Adam said he "fucked up" and that he "did wrong" and needed his help. Johnson stated Beach's girlfriend stopped him from saying anything further.
46. Johnson stated the "tone" of the conversation was that Beach was going to say that Adam killed the child and disposed of the body. He stated Beach was saying Adam was asking him for a few days to help him get rid of stuff. Beach stated they drove around the "county" for the next few days getting rid of stuff. Johnson stated that "body parts" was never said but that it was stuff wrapped in plastic or plastic bags. Johnson also mentioned Adam asking for "tools and supplies" and included blankets and tarps from Beach. Jennily told Beach not to talk further about it because it could get him in trouble. Johnson felt that Beach was trying to get it off his chest. Beach also stated to him that the police had been looking for him to ask him information. Det. Dunleavy asked him who else was there during the conversation and he stated just Beach, Jennily, and himself.

47. Johnson added that he believes Beach mentioned the west side of Manchester as areas they went and possibly a street starting with the letter "C." Johnson also believes Beach was driving when all this happened.
48. On 4/21/22, Det Rahill and I interviewed Travis Beach at the New Hampshire State Prison with his Probation Officer, Officer Wright. Beach stated that Adam Montgomery requested that Beach rent a U-Haul for him. Beach did not have a license, so he used Britney to rent the U-Haul for them. Beach stated that Adam and Kayla were picked up from the Orange Street/Union Street area. He stated that they had children with them, but only two children. Beach believed that the weather was starting to get warm but there was snow on the ground, potentially February/March 2020 timeframe.
49. Beach stated that he was staying at the Comfort Inn around this time and that Adam and Kayla were staying at the Econo Lodge. He advised that during this time when Adam was requesting for a U-Haul, that Adam approached Beach stating that he "fucked up." He believed this to be after the U-Haul was rented. Adam never told Beach what he needed the U-Haul for, and Beach never asked. Beach advised that Adam told him that he was having problems with DCYF during this time and that's why they were staying at the Econo Lodge.
50. In her 6/3/22 proffer, Kayla explained that the reason why she initially said that the last time she saw Harmony was when Adam dropped her off to work at Dunkin' Donuts was because Adam had told her to say that time frame and to say that Adam was returning Harmony to her (Harmony's) mother. She said in essence that Adam told her she wouldn't get in trouble if she just stuck to this story.
51. On 6/9/22, Detective Rahill and I conducted a voluntary interview with Nicole Giles (DOB 01/31/78), a former tenant of 177 Lake Ave in Manchester, NH. Giles lived at the address

during the time period when Adam and Kayla Montgomery were residents there, and was an associate of theirs.

52. Giles indicated that she had helped the Montgomerys move to their Union Street apartment (644 Union St) when they moved out of 177 Lake Ave (2/20/20). Giles recalled the family still having tax money left over as they had gone to Rent-A-Center to get a TV, furniture, and possibly a new bed for their unfurnished apartment. Giles later stated that she recalled Kayla at times using an "Emerald card," and identified it as a card H&R Block puts your tax return on.
53. On 3/16/23, I conducted a third proffer with Kayla Montgomery. During the proffer Kayla disclosed that when she and Adam would make purchases, they would use their Chime card. Kayla said that Adam had a Chime card in his name, but it was lost so he began using her Chime card. Kayla recalled that during the time when Harmony was killed, and her body disposed of, Kayla and Adam used their Chime card to make purchases. She stated that they received their tax returns which went right onto their Chime card. Kayla disclosed that she and Adam used their Chime card for everyday purchases. Kayla stated that they used their Chime card after receiving taxes between February and March 2020.
54. I know from my training and experience that when a debit or credit card is used to make purchases, information about the transaction is retained by the card issuer. This information includes the date/time of the transaction, the monetary amount of the transaction, and information about the merchant where the card was used such as business name, address, etc. This information can potentially be used to identify a cardholder's location at a specific time, which would be relevant to show the location/movements of the Montgomery family around

the time of Harmony's death and the disposal of her body. In addition, locations and date of checks, deposits, and other account activity would also be relevant information.

CONCLUSION

55. Based on the foregoing, I submit that there is probable cause for a search warrant authorizing the search of the Chime accounts registered to Adam Montgomery and Kayla Montgomery for evidence of the crime of homicide (RSA 630). Therefore, I request permission to search for the following records of Chime accounts registered to Adam Montgomery and Kayla Montgomery between November 1, 2019 and July 1, 2020: account creation and application information and signature cards; all periodic statements; all account transactions; IP addresses; all images/copies of the front and back of debit and credit items (such as checks, deposit tickets, and deposited items); all documentation of any incoming or outgoing wire transfers or other electronic transfers to/from the account; all images/copies of any treasurer's or cashier's checks paid for from the account; all correspondence or requests to/from the accountholder(s); and all internal bank notes and memoranda related to the account.

Signed under the penalty of perjury, the penalty for which may include a fine or imprisonment or both.

DATED: March 29, 2023


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Detective John Dunleavy
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