

New Hampshire Supreme Court
Professional Conduct Committee

Margaret H. Nelson, Chair
Benette Pizzimenti, Vice Chair
Toni M. Gray,* Vice Chair
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Holly B. Fazzino, Admin. Coordinator

LD 2005-0008 *In the Matter of James B. Hobbs*

RECOMMENDATION FOR DISBARMENT

The above-referenced matter comes before the Professional Conduct Committee pursuant to Rule 37(9)(d) and Rule 37A(III)(d)(2). Based on certified copies of records from Hillsborough County Superior Court, Southern District, showing that James B. Hobbs had been convicted of offenses that appeared to be “serious crimes,” the New Hampshire Supreme Court referred this matter to the Professional Conduct Committee for the institution of disciplinary proceedings to determine the extent of final discipline that should be imposed (Order dated March 19, 2007).

On August 21, 2007, the Professional Conduct Committee deliberated this matter. Members present included: Margaret H. Nelson, Chair; Benette Pizzimenti, Vice Chair and Reporter; Toni M. Gray, Vice Chair; James R. Martin; James J. Tenn; David N. Page; Gerald A. Daley; Thomas P. Connair; Gretchen Rule Hamel and Richard H. Darling. Alan J. Cronheim and David N. Cole were absent.

The Professional Conduct Committee thoroughly reviewed the record in this matter which includes: Order of New Hampshire Supreme Court; Motion for Ruling on the Pleadings

with exhibits including transcript of sentencing hearing, certified copies of criminal convictions and letter from Mr. Hobbs conceding that he should be disbarred; and the Hearing Panel Report.

Having reviewed the record, the Professional Conduct Committee has determined that the record supports the following factual findings and rulings of law by clear and convincing evidence. The factual findings and rulings of law are detailed below.

I. FACTUAL FINDINGS

1. James B. Hobbs was admitted to the practice of law in New Hampshire in 1984.
2. Mr. Hobbs operated a law office primarily in the Nashua area.
3. Mr. Hobbs was indicted in the Hillsborough County Superior Court, Southern District, on December 20, 2005, relative to the commission of 14 separate offenses including theft by misapplication of property and forgery.
4. On November 17, 2006, pursuant to a negotiated plea agreement, Mr. Hobbs pleaded and was found guilty in the Hillsborough County Superior Court, Southern District, of seven felony charges of theft of misapplication of property, two felony charges of forgery, one felony charge of perjury and one misdemeanor charge of forgery. See, certified copy of convictions, incorporated herein by reference.)

5. The aforementioned charges stem from a course of conduct which began in 2001 when Mr. Hobbs, in his capacity as an administrator of an estate, misappropriated approximately \$274,519.00 of the estate's funds. (See, Indictment # 06-S-1070, based on the facts that Mr. Hobbs failed to make payments to the beneficiaries of the Senn estate and used the Estate's money as if it was his own.)
6. Mr. Hobbs used his position as an administrator of several estates to transfer estate assets into his personal accounts. He also misappropriated assets from one estate to another in order to cover his perfidy.
7. Mr. Hobbs forged a number of documents including correspondence from a Boston law firm, client affidavits and deeds. These and other acts formed the basis for the two felony convictions for forgery.
8. Mr. Hobbs submitted fraudulent accountings to the Rockingham County Probate Court that he signed under oath when he knew the statements were false. (See, Felony Complaint and Waiver of Indictment # 06-S-2234.)
9. A portion of Mr. Hobbs' criminal sentencing hearing on November 17, 2006 is incorporated herein. (Marked as Exhibit B to Disciplinary Counsel's Motion for Ruling on the Pleadings.) The transcript contains the State's offer of proof outlining the facts that

could prove beyond a reasonable doubt if it went to trial, and Mr. Hobbs' concession that the offer of proof was accurate. (See, page 19 of transcript where it is acknowledged by counsel for Hobbs that the facts enumerated by the State are not contested or disputed insofar as such facts may be necessary to prove the elements of the offenses.)

10. Mr. Hobbs was sentenced to a minimum of 10 years and a maximum of 20 years at the N.H. State Prison, including concurrent, consecutive and suspended sentences. He was ordered to pay restitution to the victims totaling more than \$1,000,000.00.
11. By letter dated April 25, 2007, Mr. Hobbs acknowledged that he deserved to be disbarred and will not contest his disbarment.

II. RULINGS OF LAW

Based on the above listed facts, the Professional Conduct Committee concludes that there is clear and convincing evidence that James B. Hobbs committed "serious crimes" as defined in Rule 37(9)(b) based on the certified copy of the court record from the Hillsborough County Superior Court, Southern District, and that he violated the following Rules of Professional Conduct:

Rule 1.15(a)(1), (2) and (b): Safekeeping of Property, based on convictions for theft by misapplication of property;

Rule 3.3(a): Candor Toward Tribunal, based on conviction for perjury;

Rule 4.1(a): False Statements to Third Persons, based on acts committed in several charges, including forgeries;

Rule 8.4(a): Misconduct, for violating the Rules of Professional Conduct;

Rule 8.4(b): by committing criminal acts that reflect adversely on his honesty, trustworthiness and fitness as a lawyer;

Rule 8.4(c): by engaging in conduct that involves dishonesty, fraud, deceit and misrepresentation.

No finding is made on Rule 1.2: Scope of Representation.

III. SANCTION

Having made the aforementioned findings and rulings, the Professional Conduct Committee concludes that the appropriate discipline in this matter is disbarment. This sanction is in accord with the purposes of attorney discipline as described by the New Hampshire Supreme Court *See, e.g., Feld's Case*, 149 N.H. 19, 28 (2002). This sanction is also in accord with the ABA Center for Professional Responsibility, *Standards for Imposing Lawyer Sanctions* (1991).

See, e.g., Shillen's Case, 149 N.H. 132, 139 (2003) (noting that, although the Court has never formally adopted these Standards, the Court has considered them when imposing sanctions). The sanction is consistent with the recommendation of the Hearing Panel and Disciplinary Counsel. Mr. Hobbs concedes that disbarment is the appropriate sanction.

In cases involving deceit, the New Hampshire Supreme Court has issued a spectrum of sanctions, from public censure on the low end, *See, O'Meara's Case*, 150 N.H. 157 (2003), to disbarment on the high end. *See, Basbanes' Case*, 141 N.H. 1, 8 (1996).

The Court has “ordered disbarment for attorney misconduct involving dishonesty,” *O'Meara's Case*, 150 N.H. 157. The Court has observed that “those cases involved additional and repeated misconduct, including the respondent’s failure to cooperate with the professional conduct committee.” There are no mitigating factors in this case. Mr. Hobbs’ case falls into the disbarment category.

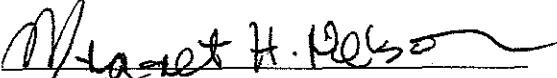
Mr. Hobbs shall be required to reimburse the Professional Conduct Committee for all costs and expenses associated with the investigation and prosecution of this matter.

IV. CONCLUSION

For all of the above reasons, the Professional Conduct Committee directs Disciplinary Counsel to file a Petition with the New Hampshire Supreme Court, requesting that James B.

Hobbs be disbarred from the practice of law.

September 6, 2007


Margaret H. Nelson
Chair

Distribution:

Landya B. McCafferty, Disciplinary Counsel
James B. Hobbs
File

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by Misapplication of Property RSA: 637:10

Date: 8/2/04 and 9/23/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 10 year(s), nor less than 5 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. Pretrial confinement credit 194 days. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is ordered to make restitution of \$ 491,533.66 plus statutory 17% administrative fee through the Department of Corrections as directed by the Probation/Parole Officer. Through the Department of Corrections on the following terms: To the Estate of Blanche Krah (Administrator Jeffrey S. Krah, Nashua, NH). The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

November 17, 2006

Date

Attest: Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

- State Police
- Pros. Attorney
- Nashua PD
- HCHOC

- Dept. of Corr.
- Office of Cost Cont.
- Offender Recs
- James Quay, Esq

- Defendant
- Sheriff
- SRB
- Nashua Dist. CT

DISPOSITION/MITTIMUS

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1070

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by misapplication of property RSA: 637:10

Date: 10/01-4/02

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 10 year(s), nor less than 5 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is consecutive to 05-S-2401. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is ordered to make restitution of \$274,519.52 plus statutory 17% administrative fee through the Department of Corrections on the following terms: To Estate of Robert G. Senn (Administrator Attorney Joseph J. Tropiano, Derry, NH). The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Nov. 20, 2006

Date

Attest:

Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1071

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by Misapplication of Property RSA: 637:10

Date: 7/24/02-4/5/04

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the House of Corrections for a period of 12 months. This sentence is to be served as follows: All of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after a hearing at the request of the State brought within 10 year(s) of the defendant's release. The sentence is consecutive to all other sentences. The sentence is concurrent with 06-S-1074. Other conditions of this sentence are: The defendant is ordered to make restitution of \$36,813.71 plus statutory 17% administrative fee through the Department of Corrections on the following terms: To Judith Carter, Nashua, NH. At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

cc: State Police
 Pros. Attorney
 Nashua PD
 HCHOC

Dept. of Corr.
 Office of Cost Cont.
 Offender Recs
 James Quay, Esq.

Defendant
 GAL
 SRB

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1072

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by misapplication of property RSA: 637:10

Date: 7/02-9/23/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is concurrent with 06-S-1070. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is ordered to make restitution of \$87,797.40 plus statutory 17% administrative fee through the Department of Corrections on the following terms: To Estate of Robert G. Senn (Administrator Attorney Joseph J. Tropiano, Derry, NH). The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

November 20, 2006

Date

Attest:

Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1073

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by misapplication of property RSA: 637:10

Date: 10/22/03 - 12/04

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is concurrent with 06-S-1070, 06-S-1072. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is ordered to make restitution of \$95,520.81 plus statutory 17% administrative fee through the Department of Corrections on the following terms: To Estate of Robert G. Senn (Administrator Attorney Joseph J. Tropiano, Derry, NH). The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

November 20, 2006

Date

Attest: Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1074

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by misapplication of property RSA: 637:10

Date: 3/31/04-11/26/04

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: All of the minimum sentence is suspended; All of the maximum sentence is suspended. Suspensions are conditioned upon good behavior and compliance with all of the terms of this order. Any suspended sentence may be imposed after a hearing brought by the State within 10 years of defendant's release. The sentence is consecutive to all other sentences. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. Restitution is not ordered because: Hobbs used another victim's money to replace what he stole from the Estate of Anne-Claire Demontigny. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1075

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Theft by misapplication of property RSA: 637:10

Date: 9/04-9/23/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is concurrent with 06-S-1070, 06-S-1072, 06-S-1073. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is ordered to make restitution of \$68,000.00 plus statutory 17% administrative fee through the Department of Corrections on the following terms: To Estate of Robert G. Senn (Administrator Attorney Joseph J. Tropicano, Derry, NH). The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Nov 20, 2006

Date

Attest:

Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-1076

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Forgery RSA: 638:1

Date: 4/1-9/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 3 year(s), nor less than 1 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is consecutive to 05-S-2401. The sentence is concurrent with 06-S-1070. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

November 20, 2006

Date

Attest:

Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-2233

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Forgery RSA: 638:1

Date: 9/25/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is concurrent with 05-S-2401. Pretrial confinement credit: 194 days. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

November 20, 2006

Date

Attest:

Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-2234

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Perjury RSA: 641:1, I(a)

Date: 9/29/01 - 10/6/06

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. The defendant is sentenced to the New Hampshire State Prison for not more than 7 year(s), nor less than 3 1/2 year(s). There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year. This sentence is to be served as follows: Stand committed. Commencing forthwith. The sentence is consecutive to 05-S-2401. The sentence is concurrent with 06-S-1070, 1072, 1073, 1075, 1076. The following conditions of this sentence are applicable whether incarceration is suspended, deferred or imposed or whether there is no incarceration ordered at all. Failure to comply with these conditions may result in the imposition of any suspended or deferred sentence. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer. The defendant has waived sentence review in writing or on the record. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **NH State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Nov. 20, 2006

Date

Attest: Marshall A. Buttrick

Clerk

SHERIFF'S RETURN

I delivered the defendant to the **NH State Prison** and gave a copy of this order to the **Warden**.

Date

Sheriff

cc: State Police
 Pros. Attorney
 GAL
 SRB

Dept. of Corr.
 Office of Cost Cont.
 Nashua PD
 HCHOC

Defendant
 Sheriff
 Offender Recs
 James Quay, Esq.

The State of New Hampshire

Southern Hillsborough County Superior Court

No. 06-S-2235

RETURN FROM SUPERIOR COURT

Name: James B. Hobbs

DOB: [REDACTED]

Indictment Waiver Information Complaint

Offense: Forgery RSA: 638:1

Date: 5/05-7/05

Disposition: Guilty By Plea Jury Court

T/N:

Conviction: Felony Misdemeanor

Sentence: A finding of GUILTY is entered. This sentence is to be served as follows: Other conditions of this sentence are: The defendant is fined \$200, plus statutory penalty assessment. All of the fine is suspended. Penalty Assessment suspended. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

November 17, 2006

Date

Hon. Robert J. Lynn

Presiding Justice

Marshall A. Buttrick

Clerk

cc: State Police
 Pros. Attorney
 Nashua PD
 HCHOC

Dept. of Corr.
 Office of Cost Cont.
 Offender Recs
 James Quay, Esq.

Defendant
 GAL
 SRB