

THE STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

SUPERIOR COURT
219-2016-CR-00015

STATE OF NEW HAMPSHIRE

v.

JOHN MADORE

STATE'S ASSENTED TO MOTION FOR EXTENSION OF TIME

NOW COMES the State of New Hampshire, by and through the Office of the Strafford County Attorney, and states as follows:

1. The defendant stands charged by complaints out of the Strafford County Superior Court with Reckless Conduct, Second Degree Assault, and Simple Assault for conduct occurring on January 6, 2016 in Strafford, New Hampshire.
2. Upon apprehension on a warrant, the Court held a bail hearing on May 24, 2016. Among other conditions, the Court ordered bail set as \$50,000 cash only to convert to personal recognizance to transfer him to the New Hampshire State Hospital for Involuntarily Emergency Admission and automatically revert to cash upon discharge.
3. The Court ordered a competency evaluation on March 2, 2106. Upon information and belief, the defendant still remains at that New Hampshire State Hospital. The State intends to contact the Officer of the Forensic Examiner to request that the evaluation be conducted while the defendant remains at the hospital.
4. On January 1, 2016, the Superior Court Justices adopted a new policy requiring indictment within sixty (60) days of arrest. This new policy places the burden on the State to file a motion seeking an extension of time to seek an indictment when the matter is not going to be indicted within the allotted time.
5. The complaints were filed on January 11, 2016. Undersigned counsel was under the belief that while the warrant was pending or when the defendant raised competency that it tolled the indictment deadline. The Court's file listed the indictment deadline as September 23, 2016. Upon information and belief, the indictment deadline should have been mid-March. The State is requesting the indictment deadline be extended for ninety (90) days from filing this motion to allow for the issue of competency to be addressed.
6. The State has contacted defense counsel, Attorney Evan Nappen, who assents to this motion.

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Motion granted. Deadline extended to October 20, 2016.

Mark E. Howard
Mark E. Howard
Presiding Justice

7/13/16


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WHEREFORE, the State respectfully requests that this Honorable Court:

- A. Grant the State's Motion for a ninety (90) day extension from the date of filing this motion; and
- B. Grant such other and further relief as justice may require.

Respectfully submitted,
THE STATE OF NEW HAMPSHIRE


07/12/2016



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CERTIFICATION OF SERVICE

I hereby certify that a copy of the foregoing State's Pleading has on this date been forwarded to Attorney Evan F. Nappen, counsel for the defendant, at 280 Pleasant Street, Concord, NH 03301.



Meghan C. Hagaman
Assistant County Attorney