

THE STATE OF NEW HAMPSHIRE
SUPERIOR COURT

HILLSBOROUGH, SS.
Northern District

MARCH TERM 2024

State of New Hampshire

v.

Adam Montgomery

Case No. 216-2022-CR-00020
216-2022-CR-02372

STATE'S NOTICE FOR DEFENDANT'S APPEARANCE AT SENTENCING

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, to notify the Court and the defendant of the of the applicability of RSA 651:4-a, and request the defendant be transported to the courthouse for sentencing scheduled on May 9, 2024.

Under New Hampshire RSA 651:4-a, "the defendant shall personally appear in court when the victim or victim's next of kin addresses the judge," unless excused by the court when sentencing for the crime of second degree murder. This specific language was passed by the legislature in 2015 in House Bill 225 on June 4, 2015, signed into law by Governor Hassan, and took effect on January 1, 2016.

While the application of RSA 651:4-a is automatic when the victim or victim's next of kin addresses the judge for the crime of second degree murder, the State provides this notice of its application to the defendant's sentencing scheduled for May 9, 2024. Specifically, the State provides notice that Harmony Montgomery's next of kin will be personally appearing in court along with other individuals victimized by the defendant's

crimes to address the Court and provide the Court with statements on the impact the defendant's criminal actions has had upon them. The Defendant's personal appearance in court on the day of his sentencing is thus mandatory. The State therefore asks the Court to issue an appropriate transport order, and compel the Defendant's attendance at the courthouse for sentencing.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorney,

JOHN M. FORMELLA
ATTORNEY GENERAL

Date: March 20, 2024

/s/ Benjamin J. Agati
Benjamin J. Agati, Bar # 16161
Senior Assistant Attorney General

/s/ R. Christopher Knowles
R. Christopher Knowles, Bar #276524
Assistant Attorney General
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1 Granite Place Way - South
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was sent via the State of New Hampshire e-filing system and via electronic mail to Carrie Smith, Esq. and Jamie Brooks, Esq. counsel of record in this matter.

/s/ Benjamin J. Agati
Benjamin J. Agati, Bar # 16161