

NEW HAMPSHIRE  
SUPREME COURT  
RECEIVED  
THE STATE OF NEW HAMPSHIRE  
SUPREME COURT

2010 JAN -5 P 3:48

No. 2008-0945

State of New Hampshire

v.

Michael Addison  
(Capital Murder)

**STATE'S MOTION TO EXTEND PAGE LIMIT ON BRIEF ADDRESSING RSA 630:5**

Now comes the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, moves to extend the page limit of its brief in support of its position regarding the procedure for this Court to follow in the mandatory appeal pursuant to RSA 630:5, XI. In support of this motion, the State says the following:

1) The defendant was charged and convicted of capital murder and on December 22, 2008, the defendant was sentenced to death. On December 31, 2008, this Court opened the present appeal pursuant to RSA 630:5, X, which requires an automatic review in any case where the death penalty is imposed. This Court ordered the parties to submit briefing on the procedure for the Court to following in addressing the issues laid out in RSA 630:5, XI. The State's brief is due on January 12, 2010.

2) The defendant filed his brief November 12, 2009. The defendant's obtained permission from the Court to file a brief that was 110 pages in length. In addition to the defendant's brief, three *amici curiae* filed separate briefs, each approximately 30 pages in length.

3) In order to address the issues covered in the briefs for the defense and the *amici*, which span more than 170 pages, the State requests permission to exceed the ordinary page limits for appeal. The State's brief is anticipated to be approximately 80 pages in length.

4) Counsel for the defendant has been contacted and does not object to the State's request.

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

- A. Grant permission for the State to file an 80-page brief; and
- B. Grant such other and further relief as this Court deems just and equitable.

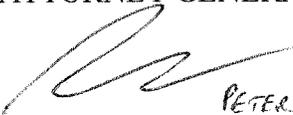
Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

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January 5, 2010

  
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**CERTIFICATE OF SERVICE**

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