

APPENDIX LIST

- APPENDIX A NH State Supreme Court Denial on Reconsideration.
- APPENDIX B NH State Supreme Court Denial on Appeal.
- APPENDIX C Final Default Judgment
- APPENDIX D WRIT OF EXECUTION for \$25,569 (Petitioner was not on CC list)
- APPENDIX E Court Order for sending WRIT OF EXECUTION, (Petitioner was on CC list and never received it.)
- APPENDIX F Responder's letter to court clerk (Not a filed Motion for Periodic Payment required by the law, not served or sent to Petitioner.)
- APPENDIX G Court Order for Pre-trial of case #431-2016-sc-00081.
- APPENDIX H Court Scheduled Trial Date for Dec. 12, 2016.
- APPENDIX I Court order dated on June 8, 2016, never received by Petitioner.
- APPENDIX J The Exhibit H attached to Responder's MOTION submitted to the NH Supreme court. It shows one format signature of Judge Sadler.
- APPENDIX K Another completely different format signature of Judge Sadler.
- APPENDIX L Petitioner's Motion to Continue the Trial to a Different day.
- APPENDIX M Responder's letter to Petitioner demanding \$1600 security deposit
- APPENDIX N The Signed Lease.
- APPENDIX O Letter Petitioner received from his bank in January 2017.
- APPENDIX P Letter Petitioner received from US Attorney on July 2, 2019.
- APPENDIX Q Petitioner's MOTION TO SANCTION APPELLEES FOR THEIR CHEATINGS TO SUPREME COURT submitted to the NH State Supreme Court.

APPENDIX A NH State Supreme Court Denial on Reconsideration.

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2019-0440, Robert Marcotte & a. v. Weixing Wang, the court on December 16, 2019, issued the following order:

Supreme Court Rule 22(2) provides that a party filing a motion for rehearing or reconsideration shall state with particularity the points of law or fact that he claims the court has overlooked or misapprehended.

We have reviewed the claims made in Weixing Wang's motion for reconsideration and conclude that no points of law or fact were overlooked or misapprehended in the decision dismissing this appeal as untimely filed. Accordingly, upon reconsideration, we affirm the October 18, 2019 decision and deny the relief requested in the motion.

Relief requested in motion for reconsideration denied.

Hicks, Bassett, Hantz Marconi, and Donovan, JJ., concurred.

**Eileen Fox,
Clerk**

Distribution:

10th N.H. Circuit Court - Derry District Division, 431-2016-CV-00010

Honorable Lucinda V. Sadler

✓Mr. Weixing Wang
Christopher T. Hilson, Esq.
Lin Willis, Supreme Court
File

APPENDIX B NH State Supreme Court Denial on Appeal.

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

**In Case No. 2019-0440, Robert Marcotte & a. v. W
Wang, the court on October 18, 2019, issued the follow**

Rule 7(1) of the Supreme Court Rules requires that a notice of appeal be filed in this court within thirty days from the date on the clerk's written notice of the decision on the merits. According to the notice of appeal, the clerk's notice of the decision entering final judgment in favor of Robert Marcotte and Stacy Simone is dated August 2, 2016. Consequently, the appeal should have been filed on or before September 1, 2016. The notice of appeal was filed on July 30, 2019, and thus is untimely filed.

The motion for late entry is denied. Weixing Wang does not dispute that he received the August 2, 2016 clerk's notice. To the extent that he was aware of that clerk's notice, which set forth the trial court's decision denying ("Motion Derry Plaintiff's Motion on July 8, 2016") and granting overruled the motion of Robert Marcotte and Stacy Simone for entry of final judgment. Weixing Wang should have filed a timely motion for clarification or reconsideration. There is no indication that he did so. Similarly, Weixing Wang does not dispute that he received the trial court's December 5, 2016 clerk's notice responding to his motion to continue by stating that the motion was filed because final judgment had already been entered. Although Weixing Wang claims that he did not timely receive copies of certain documents, including the writ of execution that was issued on September 12, 2016, he acknowledges that he was aware of the final judgment and the execution by no later than July 30, 2017. Under these circumstances, Weixing Wang has not demonstrated "exceptional circumstances" for waiting until July 30, 2019, to file the motion to extend time to file an appeal document. See Rule 21(6) ("Motions to extend time to file an appeal document for late entry of an appeal document are not favored and shall be granted only upon a showing of exceptional circumstances.").

Accordingly, the appeal is dismissed as untimely filed. See Rule 21(6). The motion filed by Robert Marcotte and Stacy Simone to dismiss the appeal is therefore moot. Weixing Wang's motion to sanction the opposing party is denied.

Appeal dismissed

This order is entered by a single justice (Hicks, J.). See Rule 21(6).

**Eileen Fox,
Clerk**

Distribution:

10th N.H. Circuit Court - Derry District Division, 431-2016-CV-00010

Honorable Lucinda V. Sadler

✓Mr. Weixing Wang

Christopher T. Hilson, Esq.

File

APPENDIX C Final Default Judgment

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT**

10th Circuit - District Division - Derry
10 Courthouse Lane
Derry NH 03038

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

August 02, 2016

FILE COPY

Case Name: **Robert Marcotte, Stacy Simone v. Weixing Wang**
Case Number: **431-2016-CV-00010**

On July 25, 2016 the Court ruled on the following:

Motion Derry Plaintiff's Motion on July 8, 2016; "DENIED."

Motion for Entry of Final Default Judgment;

"GRANTED, over Objection based on Defendant's not complying with Rule 1.10 and the prior Court order."

/s/ Lucinda V. Sadler
Justice

Robin E. Pinelle
Clerk of Court

(380)

C: Weixing V. Wang; Christopher T. Hilson, ESQ

APPENDIX D

WRIT OF EXECUTION for \$25,569 (Petitioner was not on CC list)

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

10th Circuit - District Division - Derry
10 Courthouse Lane
Derry NH 03038

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
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WRIT OF EXECUTION

Case Name: Robert Marcotte, Stacy Simone v. Weixing Wang
Case Number: 431-2016-CV-00010

TO THE SHERIFF OR DEPUTY OR LAW ENFORCEMENT OFFICER OF ANY COUNTY:

Robert Marcotte; Stacy J. Simone has recovered judgment against Weixing V. Wang of 71 Vanderland Ave E Providence, RI 02914 in the amount of \$14,755.34 plus costs, including the sheriff's fees for service.

Judgment was recorded in the 10th Circuit - District Division - Derry on 7/25/16. Execution of this judgment has not yet been satisfied.

You are ordered to levy the money, goods, chattels, lands, personal estate, property interest, right or credit of Weixing V. Wang and pay to Robert Marcotte; Stacy J. Simone the amount stated below with interest.

You must return this writ to the court no later than December 06, 2016 with a record of your actions.

Judgment	\$ 14,755.34
Amount previously paid	
Attorney fees	\$ 10,500.00
Costs	\$ 274.88
Interest	\$ 38.94
Total Due	\$ 25,569.16

*NEVER RECEIVED
BY PERSONAL
From the Court.*

Witness, Edwin W. Kelly, Administrative Judge
New Hampshire Circuit Court

9.8.16
Date

Robin E. Pinelle
Robin E. Pinelle, Clerk of Court

APPENDIX E

**Court Order for sending WRIT OF EXECUTION, (Petitioner was on
CC list and never received it.)**

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT

10th Circuit - District Division - Derry
10 Courthouse Lane
Derry NH 03038

Telephone: 1-855-212-1234
TTY/TDD Relay: (800) 735-2964
<http://www.courts.state.nh.us>

September 12, 2016

FILE COPY

Case Name: Robert Marcotte, Stacy Simone v. Weixing Wang
Case Number: 431-2016-CV-00010

Enclosed please find the Writ of Execution.

Robin E. Pinelle
Clerk of Court

(380)

C: Christopher T. Hilson, ESQ

NEVER RECEIVED
By Petitioner
From the Court

**Additional material
from this filing is
available in the
Clerk's Office.**