

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2023-0005, Grace Woodham v. Commissioner, New Hampshire Department of Corrections & a., the court on April 6, 2023, issued the following order:

Notice of appeal is declined. See Rule 7(1)(B). The filing fee is waived.

Under Supreme Court Rule 7(1)(B), the supreme court may decline to accept a notice of discretionary appeal from the superior or circuit court. No appeal, however, is declined except by unanimous vote of the court with at least three justices participating.

This matter was considered by each justice whose name appears below. If any justice who considered this matter believed the appeal should have been accepted, this case would have been accepted and scheduled for briefing.

Declined.

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

**Timothy A. Gudas,
Clerk**

Distribution:

Clerk, Merrimack County Superior Court, 217-2022-CV-00632

Honorable Charles S. Temple

Ms. Grace Woodham

Brandon F. Chase, Esquire

Attorney General

File

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT**

Merrimack County

Merrimack Superior Court

Grace Woodham v Helen Hanks DOC Commissioner, et al

217-2022-CV-00632

CASE STRUCTURING ORDER

The Court held a hearing on the Habeas Corpus Petition on October 14, 2022. The defendants filed a motion to dismiss on October 11, 2022. (Court Index No. 19). The petitioner has not received a copy of this pleading. A copy of the pleading was provided to Ms. Woodham after today's hearing. The deadline for a response to the motion to dismiss is extended to November 15, 2022.

The Court will decide the motion to dismiss on the pleadings or schedule a hearing on the motion after November 15, 2022. If the motion is granted, there will not be an evidentiary hearing. On the other hand, if the motion is denied, the Court will hold an evidentiary hearing. Additionally, if an evidentiary hearing is scheduled, the defendants will inform the Court upon receipt of the notice of hearing as to whether or not they will produce the witnesses identified in the motion for the subpoena without subpoenas.

The petitioner intends on filing a motion for access to legal research materials. She shall file this motion by November 1, 2022. The motion shall include any request slips or grievance forms and the associated responses for consideration by the Court.

So Ordered.

October 14, 2022

Date



Judge Charles S. Temple

Clerk's Notice of Decision
Document Sent to Parties
on 10/17/2022

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
<http://www.courts.state.nh.us>

2022 DEC 27

Court Name: Merrimack Superior 12
Case Name: Woodham v. Comm'r D
Case Number: Dec 2022 217-2022-CV-632 23
(if known) S1
MOTION FOR: reconsider pt. 2 S2

The petitioner, Grace Woodham
states the following facts and requests the following relief:

Case law & RSA 514:9 indicate I'm entitled to a new hearing as per the conditions laid out in my original writ: "a new trial is required in equity" (see e. Rautenberg v. Munns 109 NH 25). Probate court won't give me a new hearing because they claimed my appellate lawyer submitted the petition, even though she declined to represent me on this & refuse to allow me to proceed pro se. Supreme Court refused original jurisdiction when other courts (such as this one) also have jurisdiction

Summary: I'm aware there was an order, I've explicitly submitted grounds to overturn it. Rautenberg indicate this is non-discretionary.

12/18/22
Date


Signature

Concord NH
Address

Telephone

I certify that on this date I provided a copy of this document to _____ (other party) or to _____ (other party's attorney) by: Hand-delivery OR US Mail OR E-mail (E-mail only by prior agreement of the parties based on Circuit Court Administrative Order).

12/18/22
Date


Signature

ORDER

Motion granted.

Motion denied. (Pursuant to Superior Court Rule 12(e)).

Recommended:

Date

Signature of Marital Master S1

Printed Name of Marital Master

So Ordered:

I hereby certify that I have read the recommendation(s) and agree that, to the extent the marital master/judicial referee/hearing officer has made factual findings, she/he has applied the correct legal standard to the facts determined by the marital master/judicial referee/hearing officer.

Date

Signature of Judge S2

Honorable Charles S. Temple

December 29, 2022

Printed Name of Judge

Merrimack Superior

Woodham v. Comm'r 2022-cv-632

the AAG has knowingly misrepresented/controlling law,

Motion for Reconsideration: habeas is the correct remedy for unlawful imprisonment & not habeas of appeal
I definitely sympathize with the court's unwillingness to litigate matters in parallel with
the Supreme Court since this is a poor use of court resources. However, I am very frustrated that the
defendant is blatantly misrepresenting case law in this matter and I believed, according to NH statute
and caselaw, that I had grounds for a new trial given that the ~~defendant~~ ^{previous} order was predicated on the
AAG's misrepresentations. Anticipating this line of argument from the State I expanded my new filing
to include a challenge to my continued confinement upon a different theory of relief. I think the court
has to agree that waiting in prison 1½ years while my appeals winds its way through the overworked
appellate body is not a readily accessible remedy so to speak, while I have a liberty interest in not
being incarcerated. I have repeatedly cited cases both in my response(s) and my original complaint
demonstrating that the Supreme Court agrees with me in this matter. Finally, I've been unable to pursue
an appellate remedy to what I believe was a wrongful dismissal because I had to wait several months for
the clerk of this court to mail me the original order, ~~in~~ ^{before} during which time my appeal was dis-
missed for lack of prosecution. I believe this entitles me to an argument for a new trial in equity.
I addressed all these arguments more fully in my written responses. Sorry if I'm being bullheaded
but I'm really offended by the AAG's blatant ethical lapses and refuse to suffice for them.

Mailed 12/2/22 by: Grace Woodham, plaintiff in pro per, Concord, NH.

Denied-in accordance with Superior Court Rule 12(e). The Court has not overlooked or misapprehended
any points of law or fact in its order.


Honorable Charles S. Temple
December 7, 2022

**Clerk's Notice of Decision
Document Sent to Parties
on 12/08/2022**

MERRIMACK SUPERIOR COURT
CASE SUMMARY
CASE NO. 217-2022-CV-00632

Grace Woodham v Helen Hanks DOC Commissioner, et al

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§
§
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Location: Merrimack Superior Court
Filed on: 05/03/2022

CASE INFORMATION

Case Type: Habeas Corpus

Case 01/20/2023Appealed to
Status: Supreme Court

Case Flags: Plaintiff Incarcerated
Exempt Case Type

PARTY INFORMATION

Attorneys

Plaintiff Woodham, Grace

Defendant Commisioner DHHS, DOC, John Doe
Removed: 08/19/2022
Clerical Error

Helen Hanks DOC Commissioner

Chase, Brandon Francis, ESQ
Retained
603-271-3658(W)

Lori Shibinette
Removed: 08/19/2022
Clerical Error

Lori Shibinette, Commissioner

Chase, Brandon Francis, ESQ
Retained
603-271-3658(W)

DATE	EVENTS & ORDERS OF THE COURT	INDEX
05/03/2022	Complaint for Writ of Habeas Corpus Filed by: Plaintiff Woodham, Grace	Index #1
07/14/2022	Summons on Complaint	Index #8
07/20/2022	Other <i>MCSD Unable to serve parties with lack of named defendant and incorrect address. 7/20/22 Complaint packet returned to Grace Woodham</i>	Index #9
05/18/2022	Motion Filed by: Plaintiff Woodham, Grace <i>for reschedule hearing/plf</i>	Index #25
10/31/2022	Order Made (Judicial Officer: Temple, Charles S) <i>U.S. Mail to the parties</i>	
06/22/2022	Motion to Waive Fees <i>Application to waive fees</i>	Index #2
06/22/2022	Affidavit <i>of Assets & Liabilities</i>	Index #3
06/22/2022		Index #4

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Subpoena form - sent to Plaintiff with Motion.

10/03/2022	Denied (Judicial Officer: Temple, Charles S) <i>Court does not issue and serve subpoenas. Subpoena forms are attached. U.S. Mail to Grace Woodham, Helen Hanks, and Lori Shibinette</i>	
10/11/2022	 Motion to Dismiss Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shibinette, Commissioner <i>and Cancel October 14, 2022 Hearing/def</i>	<i>Index #19</i>
10/28/2022	 Obj-Motion to Dismiss Filed by: Plaintiff Woodham, Grace	<i>Index #27</i>
11/28/2022	 Court Order (Judicial Officer: Tucker, Brian T) <i>Motion to Dismiss is granted. U.S. Mail to Grace Woodman and email to Attorney Chase 11/29/22</i>	<i>Index #32</i>
10/14/2022	Hearing on Habeas Corpus	
10/14/2022	 Transport Order Party: Plaintiff Woodham, Grace	<i>Index #20</i>
10/14/2022	 Court Order (Judicial Officer: Temple, Charles S) <i>Case Structuring Order; U.S. Mail to the parties</i>	<i>Index #21</i>
10/14/2022	 Motion Filed by: Plaintiff Woodham, Grace <i>Amend and subpoenas for Dr. Stoddard and Nurse Wilson/plf</i>	<i>Index #22</i>
10/31/2022	Denied (Judicial Officer: Temple, Charles S) <i>U.S. Mail to the parties</i>	
10/19/2022	 Motion Filed by: Plaintiff Woodham, Grace <i>for Preliminary Injunction - Expedited/plf</i>	<i>Index #23</i>
10/31/2022	Denied (Judicial Officer: Temple, Charles S) <i>U.S. Mail to the parties</i>	
10/26/2022	 Motion Filed by: Plaintiff Woodham, Grace <i>"expedited prel. inj. addl info - the books issue"/plf</i>	<i>Index #24</i>
10/31/2022	Denied (Judicial Officer: Temple, Charles S) <i>U.S. Mail to the parties</i>	
11/10/2022	 Motion to Reconsider Filed by: Plaintiff Woodham, Grace <i>plf</i>	<i>Index #28</i>
11/28/2022	Moot (Judicial Officer: Temple, Charles S) <i>See #32</i>	

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11/21/2022	 Other Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shibinette, Commissioner <i>Addendum to Defendants' October 10, 2022 Motion to Dismiss/def</i>	Index #29
11/21/2022	 Other Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shibinette, Commissioner <i>Motion to Seal Addendum to Defendants' October 10, 2022 Motion to Dismiss/def</i>	Index #30
11/28/2022	Granted (Judicial Officer: Temple, Charles S) <i>See #32</i>	
11/21/2022	 Other Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shibinette, Commissioner <i>Addendum to Defendants' October 10, 2022 Motion to Dismiss (redacted)/def</i>	Index #31
11/30/2022	 Response Filed by: Plaintiff Woodham, Grace <i>to State's 11/16/22 Addendum/plf</i>	Index #33
12/06/2022	 Motion to Reconsider Filed by: Plaintiff Woodham, Grace <i>plf</i>	Index #34
12/07/2022	Denied (Judicial Officer: Temple, Charles S) <i>U.S. Mail to the parties 12/8/22</i>	
12/27/2022	 Motion to Reconsider Filed by: Plaintiff Woodham, Grace <i>Part 2/plf</i>	Index #35
12/29/2022	Denied (Judicial Officer: Temple, Charles S) <i>U.S. Mail to plaintiff and Attorney Chase</i>	
01/20/2023	 Supreme Court Order <i>Notice of Docketing and Mandatory Efilng</i>	Index #36
02/28/2023	 Supreme Court Order <i>No trial court decision received. Appeal dismissed.</i>	Index #37
03/17/2023	 Supreme Court Order <i>Plaintiff's motion to reconsider dismissal is granted. February 28, 2023 order vacated. Appeal will be reviewed in ordinary course.</i>	Index #38
04/06/2023	 Supreme Court Order <i>Notice of appeal is declined. Filing fee is waived.</i>	Index #39
04/20/2023	 Supreme Court Order <i>Notice of appeal is declined.</i>	Index #41
04/27/2023		Index #40

MERRIMACK SUPERIOR COURT
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Supreme Court Order
Mandate: Notice of appeal is declined.