

**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 PM 2:15

CLERK

Court Name: Merrimack Superior  
Case Name: Woodham v. Comm'r  
Case Number: 2021-2022-CV-632  
(if known)

MOTION FOR: reconsider pt. 2

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

Caselow & ASA 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" under Rautenberg v  
Morris 109 NH 25). Probate court won't give me a new hearing because they demand my  
appellate lawyer submit 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 indicates this is non-discretionary.

12/18/22  
Date

[Signature]  
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]  
Signature

ORDER

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

Recommended:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Marital Master

\_\_\_\_\_  
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]  
Signature of Judge

Honorable Charles S. Temple  
December 29, 2022

\_\_\_\_\_  
Printed Name of Judge

Merrimack Superior

Woodham v. Comm'r

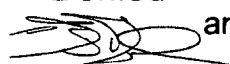
2022-CV-632

Motion for Reconsideration: the AGG has knowingly misrepresented controlling law, habeas is the correct remedy for unlawful imprisonment & not duplicative 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 case law, that I had grounds for a new trial given that the <sup>previous</sup> ~~defendant~~ order was predicated on the AGG'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 1 1/2 years while my appeals winds it's 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 in 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. ~~I believe~~ during which time my appeal was dismissed 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 AGG's blatant ethical lapses and refuse to suffer for them.

Mailed 12/2/22 by W. 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

§  
§  
§  
§

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

CASE INFORMATION

Case Type: Habeas Corpus

Case: 01/20/2023 Appealed 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 MCSD Unable to serve parties with lack of named defendant and incorrect address. 7/20/22 Complaint packet returned to Grace Woodham	Index #9
05/18/2022	 Motion Filed by: Plaintiff Woodham, Grace for reschedule hearing/plf	Index #25
10/31/2022	Order Made (Judicial Officer: Temple, Charles S ) U.S. Mail to the parties	
06/22/2022	 Motion to Waive Fees Application to waive fees	Index #2
06/22/2022	 Affidavit of Assets & Liabilities	Index #3
06/22/2022		Index #4

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












	 Motion to Waive Fees	
06/30/2022	Granted (Judicial Officer: Leonard, Elizabeth M)	
06/22/2022	 Motion for Exception from eFiling	Index #5
06/30/2022	Granted (Judicial Officer: Leonard, Elizabeth M)	
07/21/2022	 Transport Order Party: Plaintiff Woodham, Grace MCSD unable to serve due to lack of information for service. Transport cancelled 8/2/22.	Index #7
08/12/2022	<b>CANCELED Hearing on Habeas Corpus</b> in person; transport order	
08/15/2022	 Amended Complaint Filed by: Plaintiff Woodham, Grace	Index #10
08/29/2022	Summons Issued U.S. Mail to plaintiff and interoffice to MCSD 8/29/22 with #10 and #11	Index #14
08/29/2022	<del>Service</del> Helen Hanks DOC Commissioner      served 09/08/2022 Lori Shibinette, Commissioner      served 09/08/2022	
09/08/2022	 Return of Service Helen Hanks & Lori Shibinette served by leaving at office.	Index #15
08/15/2022	 Motion to Waive Fees Filed by: Plaintiff Woodham, Grace	Index #11
08/24/2022	Granted (Judicial Officer: Temple, Charles S) U.S. mail to plaintiff 8/29/22	
08/15/2022	 Motion Filed by: Plaintiff Woodham, Grace for Exception from Electronic Filing	Index #12
08/15/2022	 Affidavit Filed by: Plaintiff Woodham, Grace of Assets and Liabilities	Index #13
09/20/2022	 Motion Filed by: Plaintiff Woodham, Grace Subpoena	Index #16
09/20/2022	 Other Filed by: Plaintiff Woodham, Grace Attachment: Additional Information Page	Index #17
10/03/2022	 Other	Index #18

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

*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/defs</i>	Index #19
10/28/2022	 Obj-Motion to Dismiss Filed by: Plaintiff Woodham, Grace	Index #27
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>	Index #32
10/14/2022	<b>Hearing on Habeas Corpus</b>	
10/14/2022	 Transport Order Party: Plaintiff Woodham, Grace	Index #20
10/14/2022	 Court Order (Judicial Officer: Temple, Charles S ) <i>Case Structuring Order; U.S. Mail to the parties</i>	Index #21
10/14/2022	 Motion Filed by: Plaintiff Woodham, Grace <i>Amend and subpoenas for Dr. Stoddard and Nurse Wilson/plf</i>	Index #22
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>	Index #23
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>	Index #24
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>	Index #28
11/28/2022	Moot (Judicial Officer: Temple, Charles S ) <i>See #32</i>	

MERRIMACK SUPERIOR COURT  
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11/21/2022	 Other Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shabinette, Commissioner <i>Addendum to Defendants' October 10, 2022 Motion to Dismiss/defs</i>	Index #29
11/21/2022	 Other Filed by: Defendant Helen Hanks DOC Commissioner; Defendant Lori Shabinette, Commissioner <i>Motion to Seal Addendum to Defendants' October 10, 2022 Motion to Dismiss/defs</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 Shabinette, Commissioner <i>Addendum to Defendants' October 10, 2022 Motion to Dismiss (redacted)/defs</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 Efiling</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  
**CASE SUMMARY**  
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Supreme Court Order

*Mandate: Notice of appeal is declined.*