

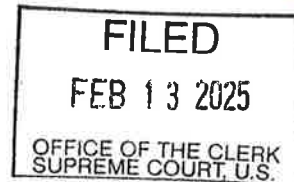
February 13th, 2025

Clerks office
Supreme Court of the United States
1 First Street NE
Washington DC, DC 20543

Honorable Justice Jackson,

24A1233

ORIGINAL



Attached is the November 25th, 2024 State of New Hampshire Supreme Court case 2023-0714 order.

My counsel's license to practice law was suspended with a 1 year stay November 29th 2023. Kyle McDonald Esq. did not disclose his professional misconduct suspension to me. Due to continued professional misconduct, Kyle McDonald Esq. **license to practice was suspended on September 18th 2024 by New Hampshire Supreme Court Order (Case # LD-2023-0011 Attached)**. Kyle McDonald Esq. was my attorney in case 456-2023-LT-01154 heard at the trial court October 2023, which became this Supreme Court case 2023-0714. I sensed something was wrong but rationalized his missteps. I am doing my best to handle the legal complications as a result of Kyle McDonald's mental health struggles.

Time was used attempting to resolve the matter with an agreement. **Attached** is a copy of two emails from January 7th, 2025, supporting that we had been discussing an agreement I hoped would bring this matter to a full and final resolution.

Ms. Haidara filed for contempt of court on 1-24-25, knowing that I was appealing to the US Supreme Court. There are other emails but the emails of January 7th, 2025 enclosed also support my intent to file with the U.S. Supreme Court. The time needed to work on my U.S. Supreme Court Writ of Certiorari is taken being forced to prep for these lower court issues. The trial court case 456-2023-LT-01154, which is case LD-2023-0714, is what I am working on the writ for your court. This case has a Contempt of Court hearing scheduled for 2-20-2025. **(Attached)** Case 422-2025-SC-00017 does not have a hearing date scheduled as of the date of this letter.

Having no legal training, trying to obtain justice, while navigating the many legal complications of having my counsel struggle with serious mental health is one of the reasons for this extension request. Additionally, time is needed to allow these lower court cases to be concluded. I am respectfully requesting an extension to **file my writ of certiorari 60 days, after the completion of Case 422-2025-SC-00017**. The writ to the US Supreme court has relationship to the pending lower court cases. Also, I am working on obtaining competent and affordable representation.

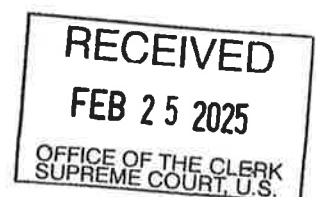
Respectfully, Joni Plante
27 Aunt Mary Brook Road
Candia, NH 03034

Joni Plante

CC: Yuma Haidara
9 Morton Street
Concord, NH 03110

CC: Manchester District Court
Case # 456-2023-LT-01154
35 Amherst Street
Manchester, NH 03101

Attachments: 6 pages



THE STATE OF NEW HAMPSHIRE

SUPREME COURT

In Case No. 2023-0714, Yuma Haidara v. Joni Plante, the court on November 25, 2024, issued the following order:

Yuma Haidara's motion to seal appellant's objection to the appellee's motion to strike is granted to the extent that Joni Plante's August 15, 2024 objection shall remain confidential.

The court has reviewed the written arguments and the record submitted on appeal, and has determined to resolve the case by way of this order. See Sup. Ct. R. 20(2). The defendant, Joni Plante, appeals the order of the Circuit Court (Chabot, J.), following a hearing, finding that she violated RSA 540-A:3, I (2021) and RSA 540-A:3, IV (2021), and awarding damages to the plaintiff, Yuma Haidara. The defendant argues that the trial court erred in its findings because, she alleges: (1) she is not the "landlord"; (2) she believed that she had permission to enter the plaintiff's apartment; (3) the plaintiff's air conditioner was not a utility; and (4) she was acting in an emergency. We affirm.

The defendant first argues that the trial court erred in finding that she, as an individual, violated RSA 540-A:3, I, and RSA 540-A:3, IV, when the landlord named in the plaintiff's lease is a limited liability company. RSA 540-A:1, I (2021) defines "landlord" as "an owner, lessor or agent thereof who rents or leases residential premises . . . to another person." The defendant admits that she is the agent of the owner of the premises. We conclude that the defendant meets the definition of "landlord" under RSA 540-A:1, I.

The defendant next argues that the trial court erred in finding that she violated RSA 540-A:3, IV, which prohibits a landlord from "willfully enter[ing] into the premises of the tenant without prior consent, other than to make emergency repairs." The trial court found that the defendant violated this provision when she entered the plaintiff's apartment without prior consent and disconnected her air conditioner, where there was no need for emergency repairs. The defendant argued that the evidence supported her position that she had permission to enter the apartment.

The trial court credited the plaintiff's testimony that the defendant entered the apartment without permission. Conflicts in testimony, questions about the credibility of witnesses, and the weight assigned to testimony are matters for the trial court to resolve. In the Matter of Kurowski & Kurowski, 161 N.H. 578, 585 (2011). Accordingly, we conclude that the trial court did not err in finding that the defendant violated RSA 540-A:3, IV.

The defendant next argues that the trial court erred in finding that the plaintiff's air conditioner constituted a utility under RSA 540-A:3, I. RSA 540-A:3, I, provides:

No landlord shall willfully cause, directly or indirectly, the interruption or termination of any utility service being supplied to the tenant including, but not limited to water, heat, light, electricity, gas, telephone, sewerage, elevator or refrigeration, whether or not the utility service is under the control of the landlord, except for such temporary interruption as may be necessary while actual repairs are in process or during temporary emergencies.

The trial court found that the plaintiff operated her air conditioner "to maintain a constant temperature in her apartment." The plaintiff testified that when she returned home on July 14, 2023, the day after the defendant disconnected the air conditioner, the temperature in her apartment was ninety degrees. We conclude that the trial court did not err in finding that the plaintiff's air conditioner constituted a utility for purposes of RSA 540-A:3, I. See Lally v. Flieder, 159 N.H. 350, 252 (2009) ("The specified utility services in RSA 540-A:3, I, all pertain to the habitability of a dwelling or a person's well-being.").

Alternatively, the defendant argues that disconnecting the plaintiff's air conditioner, after noticing that the plug was hot, constituted an emergency. The trial court found that the defendant entered the plaintiff's apartment with the intent to disconnect the air conditioner regardless of whether the plug was hot. The trial court did not find credible the defendant's testimony that she disconnected the unit because of an emergency. We defer to the trial court's credibility findings. See Kurowski, 161 N.H. at 585. Accordingly, we conclude that the trial court did not err in finding that the defendant violated RSA 540-A:3, I.

Affirmed.

MacDonald, C.J., and Bassett, Donovan, and Countway, JJ., concurred.

Timothy A. Gudas,
Clerk

Distribution:

9th N.H. Circuit Court - Manchester District Division, 456-2023-LT-01154

Honorable Kimberly A. Chabot

Honorable Ellen V. Christo

Ms. Joni Plante

Sofia Antonia Hyatt, Esquire

Ruth D. Heintz, Esquire

Francis C. Fredericks, Supreme Court

Sherri L. Miscio, Supreme Court

File