

No. 26-333

In the Supreme Court of the United States

P. L.,

Petitioner,

v.

R. S.,

Respondent.

ON PETITION FOR WRIT OF CERTIORARI
TO THE SUPREME COURT OF NEW HAMPSHIRE

SUPPLEMENTAL BRIEF

P.L.

PO Box 843
Concord, NH 03818

Pro Se Petitioner

OCTOBER MMXXVI

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SUPPLEMENTAL BRIEF OF PETITIONER

Pursuant to this Court's Rule 15.8, petitioner respectfully submits this supplemental brief to inform the Court that the state proceedings on remand have concluded and that the conduct at the center of the petition was repeated. The petition was first filed on March 3, 2026, before the remand hearing, the trial court's remand order, and the state appellate rulings described below. At the direction of the Clerk's Office, it was later reprinted with personally identifying information redacted. Its substance was not changed, and it does not address these events.

On remand, the same trial judge whose refusal of a disability-related continuance is challenged in Questions 1 and 2 again refused a continuance. This time the request came the day after petitioner was released from the hospital, where she had been treated for a serious new disabling condition related to her existing disabilities, and it was supported by letters from two treating physicians stating that she should not participate in court proceedings that day. The court issued no written ruling or findings on the request, proceeded with a hearing at which petitioner had no counsel, and ruled against her. Her attempt to obtain state appellate review then ended in a dismissal for failure to comply with a clerk's order she did not receive. These developments confirm that the questions presented are live and recurring and that no state proceedings remain.

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INTERVENING DEVELOPMENTS

1. Petitioner's requests for a continuance. After the New Hampshire Supreme Court remanded for a new hearing, App. to Pet. for Cert. 2, the trial court scheduled that hearing for March 17, 2026. As with the January 2026 hearing notice described in the petition, see Pet. for Cert. 9, petitioner did not receive the court's notice of the hearing before learning the date from a filing by respondent. In early March, petitioner moved to continue the hearing, citing a medical appointment on that date. Her VA medical provider confirmed in writing that the appointment was with a specialist outside Carroll County, was to diagnose and treat a new medical condition, and was medically necessary. App. to Suppl. Br. 15. From March 4 to March 15, 2026, petitioner was hospitalized for a serious new disabling condition related to her existing disabilities. While she was in the hospital, respondent opposed her motion, stated that she had already been permitted to appear remotely, and asked that the hearing proceed with her appearing remotely. App. to Suppl. Br. 12, 14. On March 16, 2026, the day after her discharge, petitioner renewed her request in an emergency motion supported by signed letters from two treating physicians stating that she should not participate in court proceedings on March 17.

2. Denial of the continuance. On March 17, 2026, the day of the hearing, the trial court denied the continuance. It issued no written ruling or findings on the request. The hearing proceeded. As the court's later order records, petitioner "appeared, via

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Webex, self-represented,” and respondent appeared with counsel. App. to Suppl. Br. 5.

3. The remand order. By order dated March 23, 2026, which petitioner received by mail on April 3, 2026, the trial court found no “just cause” to extend the protective order. App. to Suppl. Br. 11. The order does not mention petitioner’s continuance requests or her medical condition on the day of the hearing. Its only discussion of her illness discounts it. The court acknowledged that petitioner “suffers from serious illness” and her concern that encountering respondent may worsen her symptoms, but reasoned that “the illness she suffers from existed long before the events that resulted in the FOP” and that she “will continue to suffer from it.” App. to Suppl. Br. 10.

4. The end of the state proceedings. On March 6, 2026, before the remand hearing, petitioner had opened an appeal in the New Hampshire Supreme Court, No. 2026–0172, challenging earlier trial court rulings. On April 3, 2026, that court dismissed the appeal for failure to comply with a clerk’s order dated March 16, 2026. App. to Suppl. Br. 1. The clerk’s order was sent to petitioner by email, and she did not receive it. Petitioner promptly moved to reinstate the appeal and, at the clerk’s direction, filed a notice of appeal from the March 23 order in that case. On May 11, 2026, the court construed her motion as a motion for reconsideration, denied it, affirmed the dismissal, and denied her “motion to accept late filing of order under appeal due to failure of notice.” App. to Suppl. Br. 3. No New Hampshire appellate court has reviewed the March 23 order.

Supplemental Brief

Pursuant to this Court’s Rule 14.1(b)(iii), petitioner identifies the following directly related case, which is not listed in the petition:

Supreme Court of New Hampshire

P. L. v. R. S., No. 2026–0172

Appeal dismissed April 3, 2026; reconsideration denied May 11, 2026.

Correction. The trial court docket number appears as “420-2024-CS-00007” in five entries of the petition appendix’s table of contents and in the caption at App. to Pet. for Cert. 9. That is a typographical error. The correct number is 430-2024-CS-00007, as shown on the other court documents in the petition appendix and on each order reproduced in the supplemental appendix.

**REASONS THESE DEVELOPMENTS
SUPPORT REVIEW**

I. The remand repeated the conduct at the center of Questions 1 and 2

Questions 1 and 2 ask whether the Due Process Clause and Title II of the Americans with Disabilities Act require a state court to grant a continuance when a disabled litigant’s disability-related medical treatment prevents meaningful participation in a hearing. The remand did not resolve those questions. It repeated the conduct that raised them. Two days after petitioner left the hospital following treatment for a new disabling condition related to her existing disabilities, and with written medical advice that she should not participate in court proceedings that day, the same trial court denied a continuance, made no

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findings, and proceeded with a hearing at which petitioner represented herself against counsel.

Permission to appear by video did not answer the request. Remote appearance was permitted, and urged by respondent, while petitioner's pending request rested on a medical appointment and before her March 16 emergency motion. Her physicians' later advice was not about location; it was that she should not participate at all. Remote appearance changed where petitioner was when she was required to proceed. It did nothing about whether she could meaningfully participate. Yet due process "requires the States to afford certain civil litigants a 'meaningful opportunity to be heard' by removing obstacles to their full participation in judicial proceedings." *Tennessee v. Lane*, 541 U.S. 509, 523 (2004) (citing *Boddie v. Connecticut*, 401 U.S. 371, 379 (1971)). The resulting order confirms the point. It mentions petitioner's disability only to discount the harm she described, and it says nothing about her ability to take part in the hearing that produced it.

The absence of any ruling matters. Title II's regulations require a public entity to "make reasonable modifications in policies, practices, or procedures when the modifications are necessary to avoid discrimination on the basis of disability, unless the public entity can demonstrate that making the modifications would fundamentally alter the nature of the service, program, or activity." 28 C.F.R. §35.130(b)(7)(i). A continuance would not have changed the nature of the proceeding; it would have changed only its date. And "ordinary considerations of cost and convenience alone cannot justify a State's failure to provide

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individuals with a meaningful right of access to the courts.” *Lane*, 541 U.S., at 533. The trial court never found otherwise, because it made no findings at all. Whether the denial of a continuance violates due process turns on “the circumstances present in every case, particularly in the reasons presented to the trial judge at the time the request is denied.” *Ungar v. Sarafite*, 376 U.S. 575, 589 (1964). The reasons presented here were a hospital discharge the day before and two physicians’ letters. The court addressed neither.

At least one state appellate court has treated that silence as reversible error. In *Biscaro v. Stern*, 181 Cal. App. 4th 702 (2010), a litigant with cognitive disabilities asked for a courtroom accommodation in a restraining-order proceeding. The court never ruled on the request, and the order was entered against him. The California Court of Appeal reversed. Because it was “unable to assess meaningfully what impact the grant of accommodation would have had on the proceedings,” it held that “the error was structural without a showing of prejudice.” *Id.*, at 710. That decision rested on California’s court rules, but the principle is the one Title II states: “Lack of meaningful access is itself the harm under Title II, regardless of whether any additional injury follows.” *Luke v. Texas*, 46 F. 4th 301, 305 (CA5 2022); see also Kathryn Copeland, *Access Is Not Advantage: Structural Integrity and Disability Accommodation in State Courts*, Am. Bar Ass’n (Apr. 2, 2026), <https://www.americanbar.org/groups/diversity/disabilityrights/news/structural-integrity-disability-accommodation-state-courts/> (explaining that a court accommodation

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restores equal access to the proceeding rather than conferring an advantage). The outcome of the March 17 hearing therefore does not answer whether petitioner had meaningful access to it.

Other state courts likewise require a trial court to confront a disabled litigant's request rather than pass over it. The Supreme Judicial Court of Massachusetts has held that when a party in an eviction case "alerts the court and the adverse party to a disability requiring accommodation, the court, if it determines that the party indeed has a disability, shall provide the disabled party with reasonable accommodation," and that judges ruling on such requests "should accompany their decisions with 'findings adequate to permit [appellate] review.'" *Adjarkey v. Central Div. of the Housing Court Dept.*, 481 Mass. 830, 848–849 (2019) (quoting *Commonwealth v. McDonough*, 457 Mass. 512, 526 (2010)). In Florida, "where the physical or mental condition of either counsel or client prevents the fair and adequate presentation of a case, the refusal to grant a continuance is reversible error." *Myers v. Siegel*, 920 So. 2d 1241, 1243 (Fla. App. 2006) (internal quotation marks omitted). Here, by contrast, the trial court made no findings, and no appellate court reviewed the denial.

II. The remand to the same judge bears directly on Question 4

Question 4 asks whether due process is violated when a state appellate court remands a case to the same trial judge who committed the violations at issue. The case was remanded to that judge. On remand, he again denied a medically supported request for a

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continuance, as he had at the June 9, 2025 hearing, and again ruled against petitioner, this time in an order that does not address her ability to participate. The concern Question 4 raises is no longer a prediction. The record now shows what occurred when the case returned to the same judge.

III. The questions presented are not moot

The March 23 order does not moot the petition. A dispute remains live if “(1) the challenged action [is] in its duration too short to be fully litigated prior to its cessation or expiration, and (2) there [is] a reasonable expectation that the same complaining party [will] be subjected to the same action again.” *Turner v. Rogers*, 564 U.S. 431, 439–440 (2011) (quoting *Weinstein v. Bradford*, 423 U.S. 147, 149 (1975) (*per curiam*)). In *Turner*, the Court applied that rule to a due process challenge arising from a civil proceeding in which the litigant appeared without counsel. *Turner*, 564 U.S., at 439–441.

Both conditions are met here. First, an extension of a stalking protective order runs initially for one year. N.H. Rev. Stat. Ann. §633:3-a, III-c; App. to Suppl. Br. 8. Petitioner moved to extend her protective order in May 2025, App. to Suppl. Br. 6, and the dispute is only now before this Court. A one-year order cannot be fully litigated through the state courts and this Court before it would expire. Nor has the Court’s ability to grant effective relief been lost: the petition asks that any further proceedings be held before a different judge, Pet., Conclusion and Prayer for Relief ¶ 4, and that relief remains available. Relief before a different judge is readily available; the

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Carroll County Superior Court in Ossipee sits in the same county.

Second, petitioner has already been subjected to the same action twice: the same court denied her disability-related continuance requests in June 2025 and again in March 2026. Her disability is, in the trial court's own words, one from which she "will continue to suffer." App. to Suppl. Br. 10. She and respondent remain neighbors, and any future protective-order proceeding would come before the same court, where she would again need the accommodation at issue.

IV. The state proceedings are complete

The remand proceedings contemplated by the decision below have concluded. Petitioner's attempt to obtain review of the remand order ended in a dismissal resting on a clerk's order she did not receive, and the New Hampshire Supreme Court declined to let her cure the default. No further state proceedings remain.

That resolves any question about the finality of the judgment below. This Court reviews "[f]inal judgments or decrees rendered by the highest court of a State in which a decision could be had." 28 U.S.C. §1257(a). A state-court judgment that remands for further proceedings ordinarily is not final. *Jefferson v. City of Tarrant*, 522 U.S. 75, 81 (1997). But a judgment is final where "the federal issue, finally decided by the highest court in the State, will survive and require decision regardless of the outcome of future state-court proceedings." *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469, 480 (1975). The decision below granted petitioner no relief on her federal

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claims. It remanded on a single state-law question: the trial court's exclusion of evidence of events before the final order. App. to Suppl. Br. 5. Whatever doubt the pending remand raised when the petition was filed, none remains. The remand is over, it did not address the federal questions, and no state court will.

Petitioner does not ask the Court to review the March 23 order, which no New Hampshire appellate court has reviewed. The remand proceedings are relevant for what they show: the conduct at issue in the questions presented recurred on remand, before the same judge.

CONCLUSION

This Court should grant certiorari.

Respectfully submitted.

P. L.
P. O. Box 4070
Concord, NH 03302

OCTOBER 2026

Pro Se Petitioner

Cite as: App. to Suppl. Br. App. to Suppl. Br. i

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Remand Order, New Hampshire Circuit Court,
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Defendant’s Response and Objection to Plaintiff’s
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Letter from Ellen M. Ross, PA-C, Department of
Veterans Affairs, Littleton Community Based
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(Mar. 3, 2026) App. to Suppl. Br. 15

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Appendix A

**THE STATE OF NEW HAMPSHIRE
SUPREME COURT**

**In Case No. 2026-0172, P.L. v. R.S., the court
on April 3, 2026, issued the following order:**

On March 6, 2026, P.L. filed an appeal document that did not comply with Supreme Court Rules. Accordingly, on March 16, 2026, the clerk ordered P.L. to take certain action on or before March 31, 2026. Specifically, P.L. was ordered to file a notice of appeal in compliance with Rule 7 and provide copies of the decision below, the clerk's written notice of the decision below, any order disposing of a timely filed post-decision motion, and the clerk's written notice of any order disposing of a timely filed post-decision motion.

P.L. has not complied with the clerk's March 16, 2026 order. Therefore, the appeal is dismissed. *See* Rule 5(4) ("If the moving party shall fail to cause timely docketing of the case, in accordance with the requirements of these rules, or transmission of the record or to pay the entry fee, if one is required, the case shall be dismissed.").

Appeal dismissed.

This order is entered by a single justice (Countway, J.). *See* Rule 21(7).

**Timothy A. Gudas,
Clerk**

Distribution:

3rd N.H. Circuit Court - Conway District Division,
430-2024-CS-00007

App. to Suppl. Br. 2

P. L. v. R. S.

Appendix A

Honorable Charles L. Greenhalgh

[P. L.]

Donald M. Ekberg, Esq.

File

Appendix B

**THE STATE OF NEW HAMPSHIRE
SUPREME COURT**

In Case No. 2026-0172, P.L. v. R.S., the court on May 11, 2026, 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 she claims the court has overlooked or misapprehended.

We have reviewed the claims made in P.L.'s emergency motion to reinstate appeal, which the court construes as a motion for reconsideration and conclude that no points of law or fact were overlooked or misapprehended in the decision dismissing this appeal. Accordingly, upon reconsideration, we affirm the April 3, 2026 decision and deny the relief requested in the motion.

P.L.'s motion to accept late filing of order under appeal due to failure of notice is denied. P.L.'s emergency motion for immediate relief is denied. P.L.'s motion to supplement case filings is granted.

The respondent's request for attorney's fees is denied.

Relief requested in motion
for reconsideration denied.

MacDonald, C.J., and Donovan, Countway, Gould,
and Will, JJ., concurred.

App. to Suppl. Br. 4

P. L. v. R. S.

Appendix B

**Timothy A. Gudas,
Clerk**

Distribution:

3rd N.H. Circuit Court - Conway District Division,
430-2024-CS-00007

Honorable Charles L. Greenhalgh

[P. L.]

Donald M. Ekberg, Esq.

Sherri L. Miscio, Supreme Court

File

Appendix C

[Filed: Mar. 23, 2026]

**THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
NH CIRCUIT COURT
CARROLL COUNTY
3rd CIRCUIT – DISTRICT DIVISION – CON-
WAY**

**In the Matter of:
[P. L.], Plaintiff v. [R. S.], Defendant
Case No. 430-2024-CS-00007**

REMAND ORDER

By opinion dated November 13, 2025 (Mandate dated December 8, 2025), the New Hampshire Supreme Court remanded the Final Order of this Court dated June 9, 2025 (Greenhalgh, J.), on Petitioner's Motion to Extend a Final Order of Protection issued by this Court on June 7, 2024. The Supreme Court determined that this Court had incorrectly excluded evidence relating to events that occurred prior to the date of the Final Order and by limiting its consideration to events that occurred between the date of the Protective Order and the date that the Order was set to expire.

On March 17, 2026, this Court conducted a Remand Hearing. The Plaintiff appeared, via Webex, self-represented. The Defendant appeared with counsel, Donald M. Ekberg, esq. All witnesses were placed under oath and a recording of the hearing was made.

The parties agreed on the record that testimony improperly excluded by the Court involved an incident which occurred on May 26, 2024. At this hearing, the

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Court heard testimony from both the Plaintiff and her husband about the incident. At that time, the Defendant was subject to this Court's Temporary Order of Protection (TOP).¹ In addition, the Court reviewed the recording of the Extension Hearing which took place on June 9, 2025.

After a two day hearing, this Court issued a Final Order of Protection (FOP) on June 7, 2024, finding that the Defendant had stalked the Plaintiff when on three occasions he made sexual advances and on March 27, 2024, sexually assaulted her.

The Court's TOP, issued on April 15, 2024, (Ryan, J) prohibited the Defendant from coming within 150 feet of the Plaintiff. The TOP was amended to allow the Defendant to come and go from his home, with qualifications (see index 7).

On May 20, 2025, the Plaintiff filed a Motion to Extend the FOP, the Court initially granted the Motion which extended the FOP for one year. The Defendant objected and a hearing on the extension was held on June 9, 2025, after which the Court denied the extension finding that good cause did not exist to extend the FOP.

The Plaintiff's husband [E. L.] testified that on May 26, 2024, the Defendant drove his truck to their address and placed a letter in their mailbox. This letter had been addressed to the Plaintiff and was apparently mistakenly delivered to the Defendant's address, which is across the street from the Plaintiff. The Plaintiff also testified that she witnessed

¹ The Final Order of Protection was issued by this Court on June 7, 2024.

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Defendant do this from a window in her house. The Plaintiff contacted the Conway Police Department and reported the Defendant for a violation of the distance restriction in the TOP. A copy of the investigating officers report was submitted to the Court as Defendant's Exhibit 1. In the report, the officer, Matthew Gagne reported that the Plaintiff and her husband reported the same facts they testified to at this hearing. He also noted he spoke with the Defendant who admitted delivering the envelope, though he noted that he did not enter Plaintiff's driveway or step on her lawn. The Plaintiff, in her testimony disputed whether the Defendant had stepped on her property. She contends that she contacted the Conway Police Department to report inaccuracies in Officer Gagne's report. This is reflected in the report. The Conway Police Department did not file charges for violation of the TOP against the Defendant.

The Plaintiff testified that the Defendant's actions were part of a pattern of behavior intended to intimidate her.

At the extension hearing, the Plaintiff testified that the basis for her request to extend the FOP was that the Defendant continued to live across the street from her and that he had not received counseling. The Court noted that the FOP did not require the Defendant to obtain counseling. On cross examination, the Plaintiff testified that during April and May of 2025, while she was in her yard picking up sticks, the Defendant stopped his truck in front of her home 6 times. She admitted that Defendant's truck has tinted windows so she could not see if the Defendant was looking at her and the Court can infer from her testimony,

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that she could not see the Defendant in the truck. She also testified that she hid behind trees when this occurred. The Plaintiff's husband testified that he witnessed multiple incidents of the Defendant stopping. He also testified that while driving on their street the Defendant was acting aggressive. He described that Defendant drove by him and the Plaintiff when they were walking their dogs, too fast and in a manner that was not prudent. Mr. Lakjer admitted he could not see the Defendant in his truck when he was stopped. He testified that the Defendant stopped for a matter of seconds. The Plaintiff and her husband did not contact the police because they felt the police had not acted to bring charges for the May 26, 2024 incident.

The Defendant testified that when he drives out of his driveway he stops to check if his garage door is closed and then sets an alarm at his home. He described this as a routine. He said that he or his wife does this every time they leave their property. He denied staring at the Plaintiff. He testified that he put curtains in his window and planted trees to obscure his view of Plaintiff's home. The Defendant's wife confirmed the Defendant's testimony about why they stop in the road to check their garage door. She testified she was hard of hearing and did not hear the Defendant's testimony.

Based on all of the evidence submitted, the Court renders the following Order:

RSA 633:3-a, III-c allows a trial court to extend a final stalking order of protection initially for one year and, thereafter, for up to five years upon a showing of good cause. See RSA 633:3-a, III-c. To determine

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whether good cause exists to extend a protective order, the trial court must assess whether the current conditions are such that there still exists a concern for the safety and well-being of the plaintiff, after reviewing the circumstances of the original stalking, any violation of the protective order, and any present and reasonable fear of the plaintiff. *MacPherson v. Weiner*, 158 N.H. 6, 10, 959 A.2d 206 (2008). Good cause” exists to extend a protective order, we held, if the trial court determines that the circumstances are such that, without a protective order, the plaintiff’s safety and well-being would be in jeopardy. *Id.* Whether ‘good cause’ exists directly relates to the safety and well-being of the plaintiff. *Id.*

After the June 9, 2025 hearing on Plaintiff’s request for and extension of the FOP, this Court found that good cause did not exist to extend the Order. The basis for the Court’s decision lies in the credibility of the parties who testified. The Plaintiff contends that the Defendant had on six occasions stopped for a few seconds, in front of her home, when she was in her yard in April and May of 2025. The Defendant was in his truck. He was not visible in the truck because his windows are tinted. He did not leave the truck, nor contact the Plaintiff. She could not know whether the Defendant himself knew she was in her yard or had seen her. The Defendant does not deny that he might have briefly stopped on the road in front of the Plaintiff’s home as he does often to check if his garage door closed. The Defendant noted that he has taken significant steps to ensure he cannot see into the

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Plaintiff's property from his own property.² The parties live across the street from each other. They must use the same road to reach their respective properties. The Plaintiff and her husband walk their dogs on the same street. It is inevitable and unavoidable that the parties will pass each other relatively frequently.

In its Order granting the FOP, this Court found that the Defendant was guilty of appalling behavior. No doubt the memories and trauma the Plaintiff suffered from those events linger and the fact that she must see the Defendant on her street will trigger some reaction in her. The Court also notes that the Plaintiff suffers from serious illness and claims that encountering the Defendant may exacerbate symptoms of her illness. But the illness she suffers from existed long before the events that resulted in the FOP and the Plaintiff herself contends that there is no cure for her illness and she will continue to suffer from it.

Ultimately, the Court finds that there is not just cause for an extension because the Defendant has not exhibited a continued pattern of behavior directed towards the Plaintiff which is intended to impact her wellbeing. The Defendant has not violated the FOP. Whether or not an extension is granted, it is inevitable that the parties will have brief encounters so long as they are neighbors. Neither can be expected to avoid using the street in front of their homes. If anything, the Defendant has taken steps to avoid, as much as possible any encounter with the Plaintiff.

² Presumably the Defendant's efforts at obscuring his view of the Plaintiff, also obscures her view of him.

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The Court reaches this conclusion, even taking into account the previously excluded evidence with was submitted at this hearing about the incident on May 26, 2024. This, again, was a brief encounter in which the Defendant simply put a mis-delivered piece of mail in the Plaintiff's mailbox. He did not know if the Plaintiff saw him. He did not linger on her property if he entered it at all. At the time, it would not have been advisable for him not to do so since such behavior justifiably could have been viewed as a violation of the restraining order and there were other ways to ensure the Plaintiff got her mail. Even so, law enforcement did not view this a violation of the TOP and no Motion for Contempt was submitted to this Court. In addition, it was a one-time isolated incident that the Defendant never repeated. While the Plaintiff may view this incident as a pattern of behavior which was repeated by the Defendant a year later when he stopped in front of her home on the street, the Court does not view it in the same way. The Court finds the Defendant's testimony about his stopping in the street as credible, having nothing to do with the Plaintiff.

Accordingly, upon Remand, the Court does not find that there is just cause to extent the Final Order of Protection.

The Defendant's request for Attorney's Fees is denied.

So Ordered:

March 23, 2026 /s/ Charles L. Greenhalgh

Date

Hon. Charles L. Greenhalgh, Judge

Appendix D

In the Matter of:	) Docket No.: 430-2024-CS-
	) 00007
[P. L.], Plaintiff	)
	) State of New Hampshire
vs.	) 3rd Circuit, District Divi-
	) sion, Conway
[R. S.], Defendant	) Carroll County, ss
	)
	) Defendant's Response
	) and Objection to Plain-
	) tiff's Second and Third
	) Emergency Motions
	)

NOW COMES [R. S.], by and through his attorney, Donald M. Ekberg, Esq., to respond and object to the Plaintiff's *Motions* and in support thereof says as follows:

1. We object to the Plaintiff's *Motions* in their entirety, particularly when the Plaintiff has been granted permission to appear remotely at the Further Hearing.
2. Appendix A of the Plaintiff's *Third Emergency Request* is a letter penned on March 3, 2026, the day after [P. L.] learned the hearing had been scheduled for March 17th, and was issued after she was asked by the provider what they could do for her that day; however,
3. The letter indicates that March 17th is a specialist appointment to 'diagnose and treat a new medical condition', but does not indicate if the appointment was scheduled before or after the Court scheduled

Appendix C

the hearing in this matter, nor what time her appointment is scheduled for or that [P. L.] is scheduled for any type of surgery in April of 2026 that would postpone this matter until after May 20, 2026, something that we would have expected to be included in such a letter pursuant to [P. L.]’s specific requests.

4. Appendix B of the Plaintiff’s *Motion* is a subpoena that carries a North Carolina docket number of 25CR253700-760 and pursuant to that number, we reached out to both the defense attorney and prosecutor to determine what interference their case would have on this matter.
5. [P. L.] is the alleged victim in a criminal matter, *State of North Carolina vs. Francis Louis Molfetta, Jr.*, and the defendant is charged with one count of ‘*Obtain Property False Pretense*’, a Class H Felony, and a *Disposition Hearing* is what is scheduled for April 17, 2026.
6. All indications, from both entities, Attorney Dunham for the District Attorney and Attorney Altman, attorney for the defense, is that their case was not expected go past April 17, 2026, and that it should have already been resolved, but has lingered due to delays.
7. It is unclear why a subpoena was needed for a victim to appear in Court for a crime committed against her, however, the District Attorney’s office indicated ‘*we have gone to great lengths to arrange her attendance*’ and would not offer any further specifics, but did indicate that it had been postponed multiple times to accommodate [P. L.]’s attendance.

Appendix D

8. We have no evidence that the Plaintiff's life is in danger, she has provided no detail of whom she is attempting to seal this matter from, this matter has been public since May of 2024; and,
 9. According to the North Carolina District Attorney's office, this matter will not go beyond April 17th, therefore, it is unclear why this matter should be delayed to after May 20, 2026; therefore,
 10. We respectfully request that this Court move forward with the hearing on March 17, 2026, with the Plaintiff appearing remotely, as scheduled or at a time convenient for her before or after her medical appointment on that date.
- WHEREFORE, [R. S.] prays this Honorable Court to:
- A. Deny the Plaintiff's *Motions* for the reasons stated above; and,
 - B. Order that the hearing will move forward on March 17, 2026, with the Plaintiff appearing remotely; and,
 - C. Provide such further and equitable relief that this Court deems just and fair.
- Respectfully submitted,
[R. S.], by his Attorney,

Cite as: App. to Suppl. Br. App. to Suppl. Br. 15

Appendix E



DEPARTMENT OF VETERANS AFFAIRS
Littleton Community Based Outpatient Clinic
264 Cottage Street
Littleton, NH 03561
(603) 575- 6700 phone
(603) 575- 6778 fax

MAR 03, 2026

Regarding:

[P. L.]

[Address Redacted]

To Whom It May Concern,

I am writing to verify that Ms. [P. L.] has an appointment with a medical specialist on March 17, 2026. This specialist is not located in Carroll County. The purpose of this appointment is to diagnose and treat a new medical condition.

Please note that it is medically necessary for Ms. [P. L.] to attend this appointment to ensure she receives the appropriate care and treatment for her condition.

Thank you for your understanding and accommodation in this matter.

Sincerely,

/s/ Ellen M. Ross

Ellen M. Ross, PA-C

Littleton CBOC

<i>Bennington CBOC</i>	<i>Brattleboro CBOC</i>	<i>Burlington CBOC</i>	<i>Littleton CBOC</i>	<i>Rutland CBOC</i>
<i>186 North Street</i>	<i>71 GSP Drive</i>	<i>128 Lakeside Avenue</i>	<i>264 Cottage Street</i>	<i>232 West St</i>
<i>Bennington, VT</i>	<i>Brattleboro, VT</i>	<i>Burlington, VT</i>	<i>Littleton, NH 03561</i>	<i>Rutland, VT 05701</i>
<i>05201</i>	<i>05301</i>	<i>05401</i>	<i>(603) 575-6700</i>	<i>(802) 772-2300</i>
<i>(802) 440-3300</i>	<i>(802) 251-2200</i>	<i>(802) 657-7000</i>		

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