

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
SUPERIOR COURT

Rockingham Superior Court  
Rockingham Cty Courthouse/PO Box 1258  
Kingston NH 03848-1258

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

AMENDED RETURN FROM SUPERIOR COURT – HOUSE OF CORRECTIONS

Case Name: State v. Robert A. Bell  
Case Number: 218-2019-CR-00455

Name: Robert A. Bell, [REDACTED]  
DOB: [REDACTED]

Charging document: Indictment

Offense: Vote in More than 1 State      GOC:      Charge ID: 1613773C      RSA: 659:34-a      Date of Offense: November 06, 2018

Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Felony

Sentence: Assented to Motion to Modify Sentence: Granted. (Honigberg, J., 4/21/20). see attached

November 07, 2019  
Date

Hon. Martin P. Honigberg  
Presiding Justice

Jennifer M. Haggar  
Clerk of Court

MITTIMUS

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the Rockingham County House of Corrections. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: \_\_\_\_\_  
Clerk of Court

SHERIFF'S RETURN

I DELIVERED THE DEFENDANT TO THE Rockingham County House of Corrections and gave a copy of this order to the Superintendent.

\_\_\_\_\_  
Date      Sheriff

J-ONE:  State Police    DMV

C:  Dept. of Corrections    Offender Records    Sheriff    Office of Cost Containment  
 Prosecutor James T. Boffetti, ESQ    Defendant    Defense Attorney Alan J. Cronheim, ESQ  
 Sex Offender Registry    Other \_\_\_\_\_    \_\_\_\_\_ Dist Div. \_\_\_\_\_

ROCKINGHAM, SS

SUPERIOR COURT

State of New Hampshire

v.

ROBERT BELL  
218-2019-CR-455

ASSENTED TO MOTION TO MODIFY SENTENCE

NOW COMES Robert Bell and, by his attorney, moves to modify his sentence to the limited extent that the provision directing he complete community service be vacated.

In support of this Motion, defendant states:

1. Mr. Bell was found guilty of voting in more than one state.
2. Following trial, the Court, Honigberg J., sentenced Mr. Bell to the Rockingham County House of Corrections for a period of 90 days, this period being suspended for two years, ordered him to pay a fine of \$1,000.00 plus a \$240.00 penalty assessment and directed that he complete 50 hours of community service.
3. The sentence provided that if Mr. Bell was unable to complete the community service within 90 days, he was to notify the Court and he could then "request review or modification of this requirement."
4. Mr. Bell filed an Assented to Motion to extend the time within which to complete community service due to health issues. This Motion was granted by the Court and Mr. Bell was granted a 90 day extension.
5. Mr. Bell has been of good behavior since his sentencing date. He completed payment of the full fine on the date of sentencing.
6. Since the sentencing date, Mr. Bell, who is 78 years old, has had two eye surgeries.
7. Mr. Bell is unable to drive and is limited in terms of activity based on his health and coronavirus concerns.

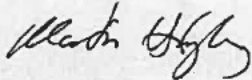
8. Mr. Bell has been unable to complete community service and does not anticipate being able to participate in community service at this point.

9. Under these circumstances, Mr. Bell is seeking to vacate that portion of his sentence directing him to complete the community service.

10. The State, by Assistant Attorney General Nicholas Chong Yen, has no objection to this Motion.

WHEREFORE, defendant prays that his sentence dated November 7, 2019 be modified to the limited extent that the portion directing Mr. Bell to complete community service be vacated.

Granted



Honorable Martin P. Honigberg  
April 21, 2020

Respectfully submitted,  
Robert Bell  
By his attorney,

/s/Alan J. Cronheim  
Alan J. Cronheim  
NH BAR ID #545  
SISTI LAW OFFICES  
78 Fleet Street  
Portsmouth, NH 03801  
603-433-7117

Clerk's Notice of Decision  
Document Sent to Parties  
on 05/05/2020

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Assented To Motion to Modify Sentence has been forwarded to Assistant Attorney General Nicholas Chong Yen and Associate Attorney General James T. Boffetti, electronically through NH e-Courts on this 20 day of April, 2020.

/s/Alan J. Cronheim  
Alan J. Cronheim



Sexual offender program.

\_\_\_\_\_

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Case Number: 218-2019-CR-00455

**HOUSE OF CORRECTION SENTENCE**

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

**PROBATION**

- A. The defendant is placed on probation for a period of \_\_\_\_\_ year(s), upon the usual terms of probation and any special terms of probation determined by the probation/parole officer.  
Effective:  Forthwith  Upon release from \_\_\_\_\_  
The defendant is ordered to report immediately to the nearest Probation/Parole Field Office.
- B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

**Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.**

**FINANCIAL OBLIGATIONS**

- A. **Fines and Fees:**  
Fine of \$ 1,000.00, plus a statutory penalty assessment of \$ 240.00 to be paid:  
 Today  
 By \_\_\_\_\_  
 Through the Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.  
 \$ \_\_\_\_\_ of the fine and \$ \_\_\_\_\_ of the penalty assessment is suspended for \_\_\_\_\_ year(s).

**A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.**

- B. **Restitution:**  
The defendant shall pay restitution of \$ \_\_\_\_\_ to \_\_\_\_\_  
 Restitution shall be paid through the Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.  
 At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.  
 Restitution is not ordered because: \_\_\_\_\_

**OTHER CONDITIONS**

- A. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or ~~Probation/Parole Officer~~.
- B. The defendant's \_\_\_\_\_ in New Hampshire is revoked for a period of \_\_\_\_\_ effective \_\_\_\_\_
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the \_\_\_\_\_
- D. The defendant shall perform 50 hours of community service and provide proof to the State within 90 days of today's date. SEE OTHER PROVISION BELOW
- E. The defendant is ordered to have no contact with \_\_\_\_\_ either directly or indirectly, including but not limited to contact in-person, by mail, phone, e-mail, text message, social networking sites and/or third parties.
- F. Law enforcement agencies may  destroy the evidence  return evidence to its rightful owner.

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HOUSE OF CORRECTION SENTENCE

G. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.

H. Other:

If the Defendant is unable to complete community service within 90 days, he shall notify the Court and may request review or modification of this requirement.

November 7, 2019

Date

  
\_\_\_\_\_  
Judge Martin P. Honigberg

THE STATE OF NEW HAMPSHIRE  
INDICTMENT

ROCKINGHAM, SS.

JULY TERM, 2019

At the Superior Court, holden at Brentwood, within and for the County of  
ROCKINGHAM aforesaid, on the 11th day of July in the year of our Lord two thousand  
and nineteen

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present  
that

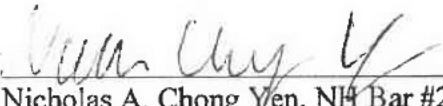
**ROBERT A. BELL**  
[REDACTED]

of Atkinson, New Hampshire, in the State of New Hampshire, on or about November 6,  
2018, did commit the crime of

**VOTING IN MORE THAN ONE STATE PROHIBITED**  
(RSA 659:34-a)

in that, Robert A. Bell, knowingly checked in at the checklist in Atkinson, New  
Hampshire and cast a New Hampshire ballot on which one or more federal or statewide  
offices or statewide questions were listed and also cast a ballot in the same election year  
in 2018 in Florida where one or more federal or statewide offices or statewide questions  
were listed.

Said acts being contrary to the form of the Statute, in such case made and provided, and  
against the peace and dignity of the State.


  
Nicholas A. Chong Yen, NH Bar #268425  
Assistant Attorney General

This is a true bill.

10/23/2019

Jury Verdict: Guilty

*Marshall A. Buttrick*

  
Foreperson

Name: Robert A. Bell

DOB: [REDACTED]

Address: [REDACTED]

RSA: RSA 659:34-a

Offense level: Class B Felony

Dist/Mun Ct: N/A

Charge ID: 1613773C

218-2019-CR-455

Town of ATKINSON, NH

Official Checklist

Print Date : 11/02/2018

STATE GENERAL ELECTION - 11/06/2018

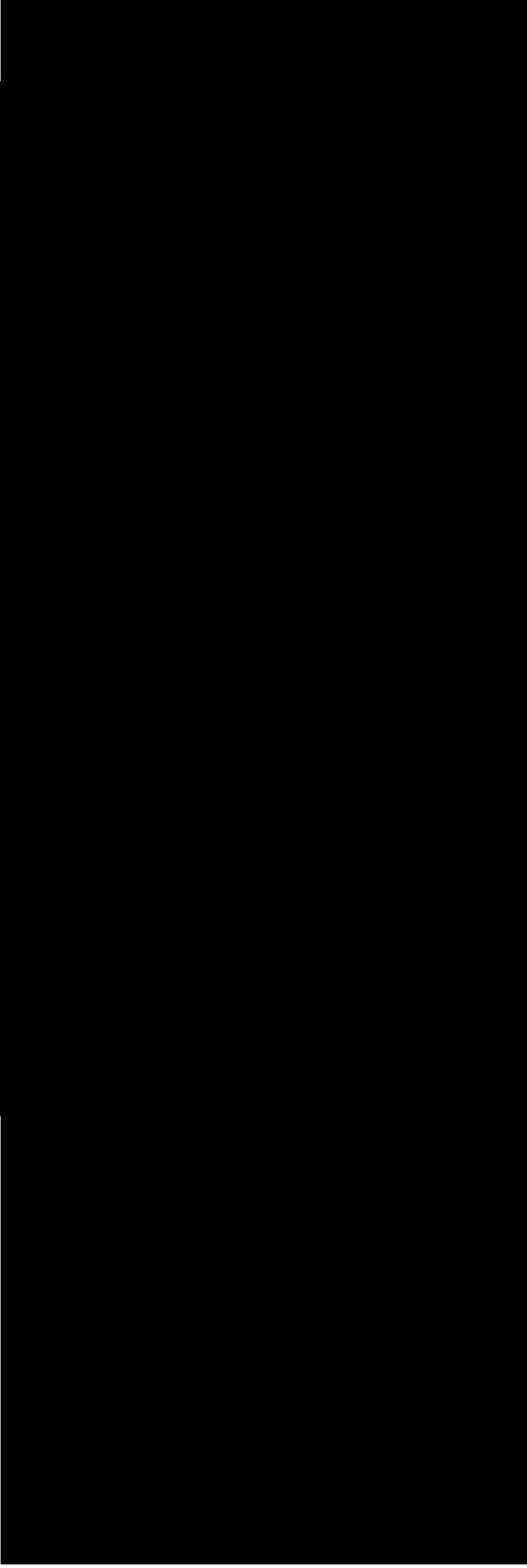
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Party	Voter Name	Identity Domicile Address	Mailing Address	Ward	Voter ID	Barcode
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Ward 00 CONT. CVA



REP BELL, ROBERT A





Town of ATKINSON, NH  
Official Checklist

Print Date : 09/07/2018

STATE PRIMARY ELECTION - 09/11/2018

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Party	Voter Name	Identity	Domicile Address	Mailing Address	Ward	Voter ID	Barcode
	Ward 00 CONT.		CVA				

REP BELL, ROBERT A