

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

RETURN FROM SUPERIOR COURT – HOUSE OF CORRECTIONS

Case Name: State v. Grace E. Fleming  
Case Number: 218-2018-CR-01289

Name: Grace E. Fleming, [REDACTED]

DOB: [REDACTED]

Charging document: Indictment

Offense: Vote in More than 1 State  
GOC:  
Charge ID: 1541384C  
RSA: 659:34-a  
Date of Offense: November 08, 2016

Disposition: Guilty/Chargeable By: Plea

A finding of GUILTY/CHARGEABLE is entered.

Conviction: Felony

Sentence: see attached

December 16, 2019  
Date

Hon. Daniel I. St. Hilaire  
Presiding Justice

Marshall A. Buttrick  
Acting 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: \_\_\_\_\_  
Acting 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 Nicholas C. Howie, ESQ  
 Sex Offender Registry  Other \_\_\_\_\_  \_\_\_\_\_ Dist Div. \_\_\_\_\_

**THE STATE OF NEW HAMPSHIRE  
 JUDICIAL BRANCH**

<http://www.courts.state.nh.us>

Court Name: Rockingham Superior Court  
 Case Name: State v. Grace Fleming  
 Case Number: 218-208-CR-01289 Charge ID Number: 1541384C  
 (if known)

**HOUSE OF CORRECTIONS SENTENCE**

Plea/Verdict: <u>Guilty</u>	Clerk: <u>Buttrick</u>
Crime: <u>Voting in More than 1 State</u>	Date of Crime: <u>November 8, 2016</u>
Monitor:	Judge: <u>St. Hilaire</u>

A finding of GUILTY/TRUE is entered.

This conviction is for a  Felony  Misdemeanor  Violation of Probation

The defendant has been convicted of the crime of domestic violence as defined in RSA 631:2-b, I, and the defendant's relationship to the victim is the following:  1. Current or former spouse;  2. Parent of the victim;  3. Guardian of the victim;  4. The parties share a child in common OR  The parties cohabitate/cohabitated as a  5. Spouse;  6. Parent;  7. Guardian OR the relationship of the defendant and victim is that of  11. Intimate partner;  12. Adult related by blood or marriage.  
 Federal law prohibits a defendant convicted of misdemeanor domestic violence from possessing, receiving or purchasing any firearm including a rifle, pistol or revolver, or ammunition for any firearm.

1. The defendant is sentenced to the House of Corrections for a period of 9060 day(s) / \_\_\_\_\_ month(s)

2. This sentence is to be served as follows:

Stand committed  Commencing \_\_\_\_\_  
 Consecutive weekends from \_\_\_\_\_ PM Friday to \_\_\_\_\_ PM Sunday beginning \_\_\_\_\_  
 All of the sentence is suspended during good behavior and compliance with all terms and conditions of this order. Any suspended sentence may be imposed after hearing at the request of the State. The suspended sentence begins today and ends \_\_\_\_\_ years from  today or  release on charge ID no. \_\_\_\_\_

\_\_\_\_\_ of the sentence is deferred for a period of \_\_\_\_\_ years / \_\_\_\_\_ months. The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of \_\_\_\_\_ years / \_\_\_\_\_ months.  
 Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for the defendant's arrest.

Other: \_\_\_\_\_

3. The sentence is  consecutive to \_\_\_\_\_  
 concurrent with \_\_\_\_\_

4. Pretrial confinement credit: \_\_\_\_\_ days.

5. The court recommends to the county correctional authority:  
 A.  Work release consistent with administrative regulations.  
 B.  Drug and alcohol treatment and counseling.  
 C.  Sexual offender program.  
 D.  \_\_\_\_\_

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

Pursuant to RSA 499:10:a, the clerk shall notify the appropriate health care regulatory board if this conviction is for a felony and the person convicted is licensed or registered as a health care provider.

Case Name: State v. Grace Fleming  
Case Number: 218-2018-CR-01799  
HOUSE OF CORRECTIONS SENTENCE

PROBATION

- 6. 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 \_\_\_\_\_  
The defendant is ordered to report immediately to the nearest Probation/Parole Field Office.
- 7. 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.
- 8. 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.

OTHER CONDITIONS

- 9. Other conditions of this sentence are:
  - A. The defendant is fined \$ 1000.00, plus statutory penalty assessment of \$ 240.00
    - The fine, penalty assessment and any fees shall be paid:  Now  By \_\_\_\_\_ OR
    - Through the Department of Corrections as directed by the Probation/Parole Officer. A 10% service charge is assessed 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. The defendant is ordered to make restitution of \$ \_\_\_\_\_ plus statutory 17% administrative fee.
    - Through the Department of Corrections as directed by the Probation/Parole Officer
    - Through the Department of Corrections on the following terms:  
\_\_\_\_\_  
 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: \_\_\_\_\_
  - C. The defendant is to participate meaningfully and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
  - D. The defendant's  license  privilege to operate in New Hampshire is revoked for a period of \_\_\_\_\_ effective \_\_\_\_\_
  - E. Under the direction of the Probation/Parole Officer, the defendant shall tour the  New Hampshire State Prison  House of Corrections
  - F. The defendant shall perform \_\_\_\_\_ hours of community service and provide proof to  the State or  probation within \_\_\_\_\_ days/within \_\_\_\_\_ months of today's date.
  - G. 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.
  - H. Law enforcement agencies may  destroy the evidence in this case  return evidence in this case to its rightful owner.
  - I. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
  - J. Other:  
\_\_\_\_\_  
\_\_\_\_\_

December 16, 2019

Date

Signature of Judge Honorable Daniel I. St. Hilaire

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
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RETURN FROM SUPERIOR COURT

Case Name: **State v. Grace E. Fleming**  
Case Number: **218-2018-CR-01289**

Name: **Grace E. Fleming,** [REDACTED]

DOB: [REDACTED]

Charging document: Indictment

<b>Offense:</b> Voter Fraud - RSA 659:34, I(b)	<b>GOC:</b>	<b>Charge ID:</b> 1541385C	<b>RSA:</b> 659:34,II	<b>Date of Offense:</b> November 08, 2016
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Disposition: Nolle Pros

Date: December 17, 2019

Action taken: By Prosecutor

**Pursuant to plea agreement**

Nicholas Chong Yen, ESQ

J-ONE:  State Police  DMV

C:  Dept. of Corrections  Offender Records  Sheriff  Office of Cost Containment  
 Prosecutor James T. Boffetti, ESQ  Defendant  Defense Attorney Nicholas C. Howie, ESQ  
 Other \_\_\_\_\_  \_\_\_\_\_ Dist Div. \_\_\_\_\_

THE STATE OF NEW HAMPSHIRE  
INDICTMENT

ROCKINGHAM, SS.

SEPTEMBER TERM, 2018

At the Superior Court, holden at Brentwood, within and for the County of ROCKINGHAM aforesaid,  
on the 6<sup>th</sup> day of September in the year of our Lord two thousand and eighteen

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

**GRACE E. FLEMING**  
[REDACTED]

of Hampton, New Hampshire, in the State of New Hampshire, on or about November 8, 2016, did  
commit the crime of


**VOTING IN MORE THAN ONE STATE IN THE SAME ELECTION**  
(RSA 659:34-a)


in that, Grace E. Fleming, knowingly checked in at the checklist and cast a New Hampshire ballot in  
Hampton for the November 8, 2016, General Election by means of submitting an absentee ballot, and  
said ballot contained one or more federal or statewide offices listed on the ballot, and she also cast a  
ballot in Belchertown, Massachusetts during the same November 8, 2016 General Election, and said  
ballot contained one or more federal or statewide offices listed on the out-of-state ballot.

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.

Plea of Guilty  
Entered December 16, 2019

  
Honorable Daniel I. St. Hilaire

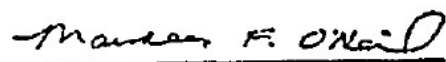
  
Matthew T. Broadhead, NH Bar #19808  
Assistant Attorney General

  
John J. Kennedy, NH Bar #19557  
Assistant Attorney General

This is a true bill.

  
Foreperson

FORMAL ARRAIGNMENT WAIVED AND  
PLEAS OF NOT GUILTY ENTERED.

  
CLERK

218-2018-CR-1259

Charge ID: 1541384C

Name: Grace E. Fleming  
DOB: [REDACTED]  
Address: [REDACTED]  
RSA: RSA 659:34-a  
Offense level: Class B Felony  
Dist/Mun Ct: N/A

VRIS  
RPS020

**A TRUE COPY**

TOWN OF BELCHERTOWN  
Voter List By Ward/Precinct/Street Name  
STATE ELECTION 11/08/2016

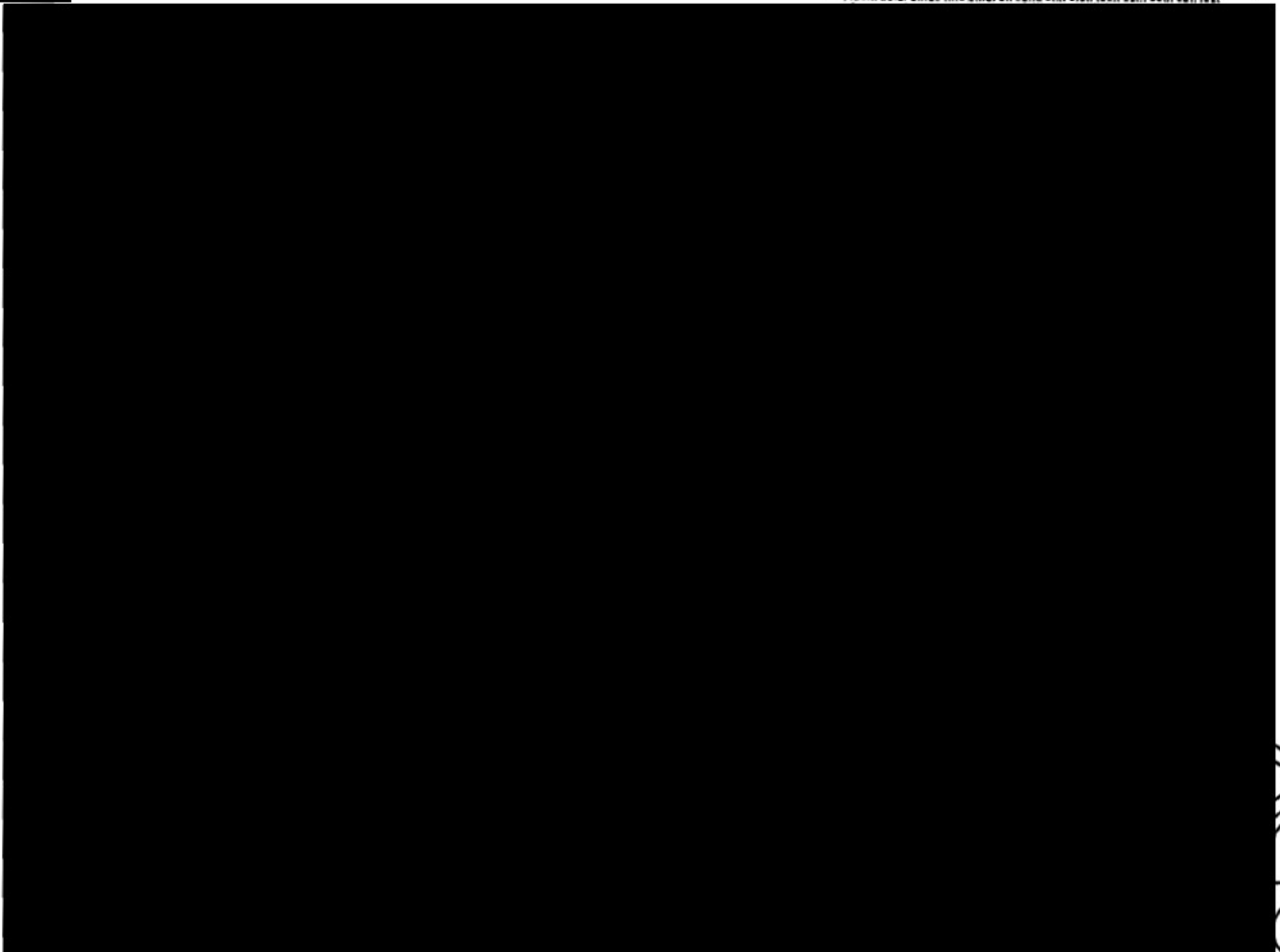
*Total 459*  
*YMB*  
*J. J. Macri*  
*11/8/16*  
*8:14 PM*

Attest *Callan K. Mitchell*  
Town Clerk, Town of Belchertown  
Active Voters  
(STATE ELECTION)

Ward	Pct	Street Name	Party Voted	AV	EV	Voter Id	Inactive Date
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FLEMING, GRACE E	R	<input checked="" type="checkbox"/>	EV
FLEMING, JOHN S JR	R	<input checked="" type="checkbox"/>	EV



**COPY**

Town of HAMPTON, NH

Official Checklist

Print Date : 11/01/2016

STATE GENERAL ELECTION - 11/08/2016

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Party Voter Name

Identity Domicile Address

Mailing Address

Ward Voter ID

Barcode

Ward 00 CONT.

CVA

~~UND FLEMING, GRACE E~~

~~UND FLEMING, JOHN S JR~~