

STATE OF NEW HAMPSHIRE

CHESHIRE, SS

SUPERIOR COURT

Case No. 213-2011-CR-00216

*State v.*  
*Jason Talley*

**MOTION TO STAY PROCEEDINGS AND PRODUCE RECORD**

Jason Talley moves this Honorable Court to stay the proceedings in this matter and develop the record for a pending interlocutory appeal to the New Hampshire Supreme Court. The facts supporting this motion are as follows:

1. On 03/23/12 the Court granted the State's "Motion To Quash" the subpoenas of New Hampshire Superior Court Chief Judge Tina Nadeau and New Hampshire Circuit Court Administrative Judge Edwin Kelley.

2. On the date of this motion being filed, Mr. Talley filed a "Motion To Reconsider" the Court's granting of the State's "Motion To Quash." For the purposes of this present motion, Mr. Talley respectfully presumes the Court denied his request for reconsideration.

3. Mr. Talley's primary defense strategy lies in creating a new precedent where a combination of the plain language of Part I, Article 8 and Part I, Article 10 of the New Hampshire Constitution is used to require that sitting judicial officers in New Hampshire are treated like average, everyday people when there is this strong of an appearance of a judicial officer coordinated cover-up of a criminal act by a judge.

4. The Court in its granting of the State's "Motion To Quash" did not provide a written opinion to the arguments made by Mr. Talley regarding Part I, Article 10 of the

New Hampshire Constitution and how he believes it constitutionally would require that judges be subject to being subpoenaed into this criminal case.

5. Mr. Talley intends on filing an interlocutory appeal to the New Hampshire Supreme Court but believes he will be unable to properly state his position with regard to the Court's order granting the "Motion To Quash" as the Court did not provide a written opinion regarding his Part I, Article 8 and Part I, Article 10 arguments.

**Prayer for Relief**

WHEREFORE, Jason Talley, requests this Honorable Court to order the following relief:

- A. Stay all proceedings for an interlocutory appeal to the New Hampshire Supreme Court on the matter of whether New Hampshire's two chief trial court judges can be required to testify for the defense in a criminal trial for an intended "breach of the public trust" defense which seeks a jury nullification result, and
- B. Produce a written opinion as to the Court's position on Mr. Talley's argument about Part I, Article 10 of the New Hampshire Constitution authorizing the issuance of subpoenas to New Hampshire's two chief trial court judges, and
- C. Grant any other relief this honorable Court deems just and proper.

Respectfully submitted,  
Jason Talley

**03/30/12**

By  
Bradley Jardis  
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I hereby certify that on the above date, a copy of this motion was hand delivered to both New Hampshire Associate Attorney General Richard Head and Assistant Cheshire County Attorney John Webb.

Bradley Jardis