

THE STATE OF NEW HAMPSHIRE

CHESHIRE, SS

8TH CIRCUIT COURT
DISTRICT DIVISION - KEENE

The State of New Hampshire

v.

Ian Bernard a/k/a Ian Freeman

Docket #: 449-2012-CR-00535

MOTION TO DISMISS

NOW COMES the Defendant by and through his attorneys, Backus, Meyer and Branch, LLP, and files this Motion To Dismiss the charge of criminal trespass against him on the following grounds:

1. The charge is based upon an order issued by the Cheshire County Sheriff which violates the Defendant's rights under Part 1, Article 8 of the New Hampshire Constitution.
2. The charge is based upon an order issued by the Cheshire County Sheriff which violates the Defendant's rights under Part 1, Article 22 of the New Hampshire Constitution.
3. The charge is based upon an order issued by the Cheshire County Sheriff which violates the Defendant's rights under the First Amendment to the United States Constitution.

WHEREFORE Defendant respectfully requests that:

b. For such other relief the court deems just and proper.

Respectfully submitted,
IAN BERNARD a/k/a IAN FREEMAN
By his attorneys,
BACKUS, MEYER & BRANCH, LLP

Dated: September 17, 2012

By: _____

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CERTIFICATE OF SERVICE

I, Jon Meyer, hereby certify that a copy of the foregoing MOTION TO DISMISS has been delivered in hand this 17th day of September, 2012 to David Lauren, Esq., Assistant Cheshire County Attorney.

Jon Meyer, Esq.