

**THE STATE OF NEW HAMPSHIRE**

**SUPREME COURT**

**In Case No. 2013-0520, State of New Hampshire v. Ian Bernard, the court on August 30, 2013, issued the following order:**

On August 12, 2013, the City of Keene filed a Rule 7 notice of mandatory appeal form, seeking to appeal the trial court's July 15, 2013 order granting the defendant's motion to dismiss in a matter captioned State v. Ian Bernard, 449-2013-CR-00206. Although an appeal from such an order may be authorized by RSA 606:10, II, it does not appear that this appeal was approved by the attorney general in accordance with RSA 606:10, V.

Accordingly, on or before September 16, 2013, the City of Keene and the State shall, and the defendant may, file a brief memorandum addressing whether RSA 606:10 applies here and, if it does, whether the appeal should be dismissed for non-compliance with 606:10, V.

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

**Eileen Fox,  
Clerk**

Distribution:  
Thomas P. Mullins, Esq.  
✓ Mr. Ian Bernard  
Attorney General  
File