

STATE OF NEW HAMPSHIRE

MERRIMACK, SS

MERRIMACK COUNTY SUPERIOR COURT

Bradley R. Jardis, pro se.
10 Congress Street #302
Amesbury, MA 01913

Case No.

v.

John M. Formella

(In his official capacity as Attorney General of the
State of New Hampshire)

33 Capitol Street
Concord, NH 03301

**MOTION FOR INTERLOCUTORY TRANSFER TO THE NEW HAMPSHIRE
SUPREME COURT PURSUANT TO RSA 491:17**

Plaintiff Bradley R. Jardis respectfully moves this Court to transfer the following question of law to the New Hampshire Supreme Court pursuant to RSA 491:17:

QUESTION: Does RSA 594:5, which mandates submission to arrest “regardless of whether there is a legal basis for the arrest,” violate Part I, Article 10 of the New Hampshire Constitution, which declares the “doctrine of nonresistance against arbitrary power and oppression,” to be “absurd, slavish, and destructive of the good and happiness of mankind”?

In support, Plaintiff states:

1. This is a pure question of law of first impression.
2. No controlling precedent exists.
3. The issue is substantial and material to the case: It affects every arrest in New Hampshire and the core relationship between citizen and state.

4. Transfer will avoid unnecessary litigation.
5. Delay risks repeated unconstitutional arrests and chilling of First Amendment activity.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- A. Transfer the question of law to the New Hampshire Supreme Court;
- B. Stay all proceedings pending resolution;
- C. Grant such other relief as is just.

Respectfully submitted,

Bradley R. Jardis
Pro Se
November 1, 2025

PURSUANT TO SUPERIOR COURT RULE 3(A) I CERTIFY THAT ON THIS DATE A COPY OF THIS MOTION HAS BEEN MAILED TO THE NEW HAMPSHIRE ATTORNEY GENERAL.