

**CASE SUMMARY**  
**CASE NO. 432-2008-CR-00654**

State v. Clark Stevens

§  
§  
§  
§

Location: 7th Circuit - District Division -  
 Dover  
 Filed on: 02/27/2008

CASE INFORMATION

<b>Offense</b>	<b>Deg</b>	<b>Date</b>	<b>Case Type: Criminal</b>
Jurisdiction: <b>Dover</b>			<b>Case Status: 03/04/2008 Closed</b>
1. Simple Assault	MISDA	02/17/2008	
ChargeID: 89007C ACN: 007025J080089007001			
Arrest:			
2. Resisting Arrest or Detention	MISDA	02/17/2008	
ChargeID: 89008C ACN: 007025J080089008002			
Arrest:			
3. Stop Sign/Yield Sign	VIOL	02/17/2008	
ChargeID: 89009C ACN: 007025J080089009003			
Arrest:			
<b>Bonds</b>			
Personal Recognizance Bond \$500.00			
3/4/2008	Discharged		
2/29/2008	Posted		
Counts: 1, 2, 3			
Personal Recognizance Bond \$1,000.00			
3/3/2008	Discharged		
2/17/2008	Posted		
Counts: 1, 2, 3			

PARTY INFORMATION

**Defendant**      **Stevens, Clark W**  
 21 Prospect St.  
 Portsmouth, NH 03801  
 White Male Height 5' 8" Weight 160  
 DOB: 04/22/1985 Age: 22  
 DL: NH 04SSC85221

**Arresting Agency**      **Dover Police Department**  
 46 Locust Street  
 Dover, NH 03820

DATE	EVENTS & ORDERS OF THE COURT	INDEX
02/29/2008	<b>Arraignment on Complaint</b>	
02/29/2008	Orders and Conditions of Bail 500. PR	
02/29/2008	Bond	
03/04/2008	<b>Plea</b> (Judicial Officer: Roberts, Stephen H) 1. Simple Assault No Plea 2. Resisting Arrest or Detention Guilty 3. Stop Sign/Yield Sign Guilty	
03/04/2008	<b>Disposition</b> (Judicial Officer: Roberts, Stephen H) 1. Simple Assault Placed on File w/o Finding	



**CASE SUMMARY**  
**CASE No. 432-2008-CR-00654**

	2. Resisting Arrest or Detention Finding of Guilty
	3. Stop Sign/Yield Sign Finding of Guilty
03/04/2008	<b>Sentence</b> (Judicial Officer: Roberts, Stephen H)
	2. Resisting Arrest or Detention Sentenced Confinement (Effective 03/04/2008, Max. 30 Days , Min. Not Applicable) Suspended for: 30 Days Condition - Adult: 1. Good Behavior for Two Years, 03/04/2008, Active 03/04/2008
03/04/2008	<b>Sentence</b>
	3. Stop Sign/Yield Sign Sentenced Fees (Fines: 72.00)
04/08/2008	<b>CANCELED Trial</b>

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DATE

FINANCIAL INFORMATION

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<b>Defendant</b> Stevens, Clark W	
Total Charges	72.00
Total Payments and Credits	72.00
<b>Balance Due as of 12/19/2013</b>	<b>0.00</b>



THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
http://www.courts.state.nh.us

Court Name: Dover District  
Case Name: Clark Stevens  
Case Number: 08-654  
(if known)

ACKNOWLEDGEMENT OF RIGHTS  
CLASS A MISDEMEANORS

The statements made below shall apply to each and every complaint, if there be more than one, to which I intend to plead guilty or no contest. I, Clark Stevens of Dorchester have been charged in the Dover District

Court with the following offense(s):  
Simple Assault (89001c) Resisting Arrest (89008a)

I understand that the complaint is one accusing me of a Class A Misdemeanor(s), and that I have the right to be represented by a lawyer of my own choosing and at my own expense, and that if I am unable to afford a lawyer the Court will appoint one for me subject to an order of reimbursement based on my ability to pay.

I am represented by \_\_\_\_\_, a lawyer admitted to practice in New Hampshire. I am satisfied with my lawyer and all explanations have been clear.

I do not want a lawyer. I understand and know what I am doing. I hereby waive my right to a lawyer.

I understand that I do not have to plead GUILTY or NO CONTEST and that even after signing this form I still do not have to plead GUILTY or NO CONTEST.

I understand that by pleading GUILTY OR NO CONTEST to the charge(s) that I am giving up the following constitutional rights as to the charges:

- MY RIGHT to a speedy trial and public trial.
  - MY RIGHT to see, hear, and question all witnesses. This gives me the opportunity and right to confront my accusers and cross-examine them myself or through my attorney
  - MY RIGHT to present evidence and call witnesses in my favor and to testify on my own behalf.
  - MY RIGHT to remain silent and not testify at a trial.
  - MY RIGHT to have the judge ORDER into court all evidence and witnesses in my favor.
  - MY RIGHT not to be convicted unless the State proves that I am guilty beyond a reasonable doubt with respect to all elements of the charge(s), which have been explained to me.
  - MY RIGHT to keep out evidence, including confessions, illegally obtained.
  - MY RIGHT to a trial before a jury and my right to appeal issues of law to the Supreme Court.
- I GIVE UP ALL THE ABOVE RIGHTS OF MY OWN FREE WILL



Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**ACKNOWLEDGMENT OF RIGHTS CLASS A MISDEMEANOR**

I understand that by pleading GUILTY or NO CONTEST I am admitting to or not contesting the truth of the charge(s) against me in the complaint(s) and that on the judge's acceptance of my GUILTY or NO CONTEST plea, a conviction(s) will be entered against me

No force has been used upon me, nor have any threats been made to me, by any member of the Prosecutor's Office or anyone else to have me enter this plea of GUILTY or NO CONTEST

No promises have been made to me by any member of the Prosecutor's Office or anyone else in an effort to have me enter this plea of GUILTY or NO CONTEST to the charge, except as follows:

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However, I understand that the judge is not bound by the prosecutor's recommendation as to sentence, and that I may withdraw my plea if the judge exceeds the limits of a negotiated plea.

I understand as a consequence of my plea of GUILTY or NO CONTEST that the judge may impose any sentence deemed appropriate in the judge's sole discretion, subject to a maximum penalty of one year in jail and a \$2,000 fine for each offense.

I understand that if I am convicted of stalking under RSA 633:3-a and have one or more prior stalking convictions in this state or another state when the second or subsequent offense occurs within seven years following the date of the first or prior offense, I shall be guilty of a CLASS B FELONY.

I understand that if the complaint is one accusing me of a second offense of operating under the influence within ten years of a first conviction, I SHALL be guilty of a CLASS A MISDEMEANOR, shall be sentenced to confinement for a period of not less than ten consecutive days, three days to be served in the house of correction and seven days to be served at the Intervention Detention center at my own expense, to be served within 21 days of sentencing. I understand that if I fail to complete the program, I shall be in contempt of court and shall serve a minimum of 30 days in the house of correction. I may also be sentenced to imprisonment for up to a maximum period of one year, shall lose my license and/or right to operate for a minimum period of three years, shall be fined not less than \$500 and not more than \$2,000, and I may not have my license and or right to operate restored until I furnish proof of financial responsibility to the New Hampshire Division of Motor Vehicles. If I am convicted of a subsequent driving under the influence charge after completing the program at the Intervention Detention Center, I shall be sentenced to no less than 30 consecutive days at the house of correction and must complete a 28-day treatment program at my own expense before my driving privileges are restored.

Should the complaint be one of aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be fined not less than \$500 and not more than \$2,000, shall lose my license to operate for a period of not less than one year and not more than two years.

I understand that if I am convicted of driving after revocation or suspension of my license for operating under the influence first or subsequent offense or for aggravated driving while intoxicated, I shall be guilty of a CLASS A MISDEMEANOR, shall be sentenced to imprisonment for a period of not less than seven days and may be sentenced to imprisonment for up to a maximum period of one year, shall be fined not more than \$2,000, and shall have my license and/or right to operate revoked for an additional year.



Case Name: \_\_\_\_\_

Case Number: \_\_\_\_\_

**ACKNOWLEDGMENT OF RIGHTS CLASS A MISDEMEANOR**

Should the complaint be one involving an offense against the motor vehicle laws, and if I should have a record of as few as two other motor vehicle convictions, I understand that the State may seek to have me declared a HABITUAL OFFENDER; and as a consequence of being declared an habitual offender, I would lose my license to operate for one to four years. I realize that if I am found to be a habitual offender, it is my responsibility, at the end of the revocation period, to petition the Director, Division of Motor Vehicles, to restore my privilege to drive a motor vehicle. I understand that if I were to operate during that revocation period, or any time before my privilege to drive a motor vehicle is restored, then I would be subjecting myself to a mandatory prison term of not less than one year, and not more than five years.

Should the complaint be one of a CLASS A MISDEMEANOR theft of property not exceeding \$500, following two convictions upon such a charge, a third offense is chargeable as a FELONY.

I understand that if I am convicted of DWI four times in ten years, that the fourth conviction will be a FELONY and that I could be sentenced to imprisonment for up to seven years and a fine of up to \$4,000. I will also lose my license or right to operate for a minimum of seven years.

I understand the nature of the charge(s) against me and the maximum punishment that may be imposed. I am not under the influence of alcohol and drugs.

I understand the entire contents of the Acknowledgment of Rights, and I freely and voluntarily sign this form below. I also understand that I may have a copy of this form upon request.

Highest Educational Grade Completed \_\_\_\_\_

Date 3/4/08

[Signature]  
Defendant

As counsel for the defendant, I have thoroughly explained to the defendant all the above, including the nature of the charge(s), the elements of the offense(s) which the State must prove beyond a reasonable doubt and the minimum and maximum penalties. I believe the defendant fully understands the meaning of this Acknowledgment of Rights, is not under the influence of drugs or alcohol, and knowingly waives all rights as set forth in this form.

Date \_\_\_\_\_

\_\_\_\_\_  
Counsel for the Defendant

I hereby certify that I have examined the Defendant concerning the plea entered in this case. Based upon that examination I find that the Defendant understands the nature of the charge(s), the minimum and maximum penalties which may be imposed therefore, and the elements of the offense(s); and I find that the Defendant is not under the influence of drugs or alcohol, and that the waiver of each right set forth on this form is made intelligently, knowingly and voluntarily. I further find there is a factual basis for the Defendant's plea.

Date 3/4/08

[Signature]  
Presiding Justice  
Stephen H. Roberts



State of New Hampshire  
**COMPLAINT**

DOMESTIC VIOLENCE RELATED

8002901

VIOLATION

CLASS A MISDEMEANOR  
 CLASS B

FELONY

YOU ARE HEREBY NOTIFIED TO APPEAR BEFORE SAID COURT  
AT 8:30 O'CLOCK IN THE AM ~~PM~~ ON February 29 YR. 2008  
UNDER PENALTY OF LAW TO ANSWER TO A COMPLAINT  
CHARGING YOU WITH THE FOLLOWING OFFENSE:  
TO THE Dover District COURT, COUNTY OF Strafford

THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT

NAME. Stevens, Clark W.  
Last Name First Name Mi  
21 Prospect Street Portsmouth, New Hampshire 03801  
Address State Zip

DOB 04/22/85 O.P.LIC.# 04SSC85221 NH

<input checked="" type="checkbox"/> M	<input checked="" type="checkbox"/> W	<u>508</u>	<u>160</u>	WRITE OUT: <u>Brown</u>	<u>Blue</u>
Sex	Race	Height	Weight	Color Hair	Color Eyes

COMM. VEH.  COMM. DR. LIC.  HAZ. MAT.

AT Dover Police Department Dover, New Hampshire 03820  
(Location)  
ON THE 17th DAY OF February YR. 2008 at 12:54 AM  
~~PM~~

on/at in said county and state, did commit the offense of Resisting Arrest  
or Detention contrary to RSA 642:2

and the laws of New Hampshire for which the defendant should be held to answer, in  
that the defendant did knowingly interfere with Officer Robert  
Russell whom the defendant recognized to be a Dover Police  
Officer, by struggling and pulling away while the Officer  
was detaining the defendant,

At the arraignment, defendant was  
advised of right to court appointed  
counsel for the hearing.

**RECEIVED**

FEB 27 2008

Presiding Justice

against the peace and dignity of the State.

DOVER DISTRICT COURT

SERVED IN HAND

Brian Johnson (JOHNSON) Dover Police  
Complainant Dept.

Personally appeared the above named complainant and made oath that the above  
complaint by him/her subscribed is, in his/her belief, true.

DATE: 2/27/08 [Signature]

locket# 08-654890080



Continued from . . . . . to . . . . . at . . . . . by . . . . .

TRIAL HELD

- Bail:  PR\$ . . . . .  Cash\$ . . . . .  Surety\$ . . . . .  Committed
- Defendant advised of constitutional rights.  Waived counsel.
- Appearance of . . . . . for defendant
- Assignment of . . . . . for defendant

Nol Prossed by . . . . . date . . . . .

- PLEA:  Guilty  Not Guilty  Nolo Contendere  No Plea
- Change Plea To:  Nolo  Guilty
- Not Guilty  Negotiated Plea date . . . . .


FINDING:  Guilty  Not Guilty  Dismissed

SENTENCE:

- Fine of \$ . . . . . amt. suspended \$ . . . . . PA \$ . . . . .  PA Susp.
- Commitment to House of Correction for 30 days . . . . . months
- Suspended 30 days . . . . . months **2 yrs G.B.**
- Commitment suspended upon payment of \$ . . . . . fine
- Commitment suspended (see conditions below)
- Commitment to mandatory 10 consecutive 24-hour periods: 3 at the House of Correction; 7 at the multiple DWI offender intervention detention center.
- Commitment to . . . . . consecutive 24-hour periods (mandatory not less than 30) at the House of Correction. Defendant shall complete at own expense a 28-day treatment program before license privileges may be restored.
- Conditional Discharge after . . months  Unconditional Discharge
- Ordered  Recommended Defendant's license (rights) to operate motor vehicle be  suspended  revoked for a period of . . . . . days . . . . . months . . . . . years.
- Defendant placed on Probation for . . . . .
- Case continued for sentence  Complaint placed on file  with  without finding.
- Defendant failed to appear.  Bail forfeited \$ . . . . .
- Bench warrant to issue . . . . . <sup>Date</sup> . . . . .
- Bail to be determined by Bail Commissioner \$ . . . . .
- Bail Set By Court \$ . . . . . PR/CASH/SURETY

- APPEAL: . . . . . <sup>Date</sup> . . . . .  Bail \$ . . . . .  Committed
- PROBABLE CAUSE: . . . . . <sup>Date</sup> . . . . .  Bail \$ . . . . .  Committed
- Hearing Waived

**3/4/02**  
Date

  
Justice  
**Stephen H. Roberts**



State of New Hampshire  
**COMPLAINT**

DOMESTIC VIOLENCE RELATED

8002901

VIOLATION

CLASS A MISDEMEANOR  
 CLASS B

FELONY

YOU ARE HEREBY NOTIFIED TO APPEAR BEFORE SAID COURT  
AT 8:30 O'CLOCK IN THE AM/~~PM~~ ON February 29 YR. 2008  
UNDER PENALTY OF LAW TO ANSWER TO A COMPLAINT  
CHARGING YOU WITH THE FOLLOWING OFFENSE:  
TO THE Dover District COURT, COUNTY OF Strafford

THE UNDERSIGNED COMPLAINS THAT: PLEASE PRINT

NAME. Stevens, Clark W.  
Last Name First Name MI  
Address 21 Prospect Street Portsmouth, New Hampshire 03801  
Address State Zip  
DOB. 04/22/85 OP.LIC.#. 04SSC85221 NH

M	W	5	0	8	1	6	0	WRITE OUT:	Brown	Blue
Sex	Race	Height	Weight	Color Hair	Color Eyes					

COMM. VEH.  COMM. DR. LIC.  HAZ. MAT.

AT Dover Police Department Dover, New Hampshire 03820  
(Location)  
ON THE 17th DAY OF February YR. 2008 at 12:54 ~~PM~~ AM

on/at in said county and state, did commit the offense of Simple Assault  
on a Police Officer contrary to RSA 631:2-a1

and the laws of New Hampshire for which the defendant should be held to answer, in  
that the defendant did recklessly cause bodily injury to another  
to wit: Clark W. Stevens did struggle with Officer Robert  
Russell, a police officer, during the defendant's detention,  
which resulted in an injury to the skin on Officer Russell's  
finger,

At the arraignment, defendant was  
advised of right to court appointed  
counsel for the hearing.

RECEIVED

Presiding Justice

FEB 27 2008

against the peace and dignity of the State.

SERVED IN HAND

DOVER DISTRICT COURT

Dover Police  
Dept.

Brian Johnson (JOHNSON)  
Complainant

Personally appeared the above named complainant and made oath that the above  
complaint by him/her subscribed is, in his/her belief, true.

DATE 2-27-08

ocket # 08-654 (890072)



Continued from . . . . . to . . . . . at . . . . . by . . . . .

TRIAL HELD

- Bail:  PR\$. . . . .  Cash\$. . . . .  Surety\$. . . . .  Committed
- Defendant advised of constitutional rights.  Waived counsel.
- Appearance of. . . . . for defendant
- Assignment of. . . . . for defendant

Not Pressed by. . . . . date. . . . .

- PLEA:  Guilty  Not Guilty  Nolo Contendere  No Plea
- Change Plea To:  Nolo  Guilty
- Not Guilty  Negotiated Plea date. . . . .

FINDING:  Guilty  Not Guilty  Dismissed

SENTENCE:

- Fine of \$. . . . . amt. suspended \$. . . . . PA \$. . . . .  PA Susp.
- Commitment to House of Correction for. . . . . days. . . . . months
- Suspended. . . . . days. . . . . months
- Commitment suspended upon payment of \$. . . . . fine
- Commitment suspended (see conditions below)
- Commitment to mandatory 10 consecutive 24-hour periods: 3 at the House of Correction; 7 at the multiple DWI offender intervention detention center.
- Commitment to. . . . . consecutive 24-hour periods (mandatory not less than 30) at the House of Correction. Defendant shall complete at own expense a 28-day treatment program before license privileges may be restored.
- Conditional Discharge after. . . months  Unconditional Discharge
- Ordered  Recommended Defendant's license (rights) to operate motor vehicle be  suspended  revoked for a period of . . . . . days. . . . . months. . . . . years.
- Defendant placed on Probation for. . . . .
- Case continued for sentence  Complaint placed on file  with  without finding. **2 yrs G-B.**
- Defendant failed to appear.  Bail forfeited \$. . . . .
- Bench warrant to issue. Date . . . . .
- Bail to be determined by Bail Commissioner \$. . . . .
- Bail Set By Court \$. . . . . PR/CASH/SURETY

- APPEAL. . . . . Date . . . . .  Bail \$. . . . .  Committed
- PROBABLE CAUSE: . . . . . Date . . . . .  Bail \$. . . . .  Committed
- Hearing Waived

**3/4/08**  
Date

  
**Stephen H. Roberts**  
Judge



COMPLAINT (VIOLATIONS ONLY)

- You do NOT have to come to court but must answer this complaint to the Department of Safety within 30 (thirty) days from issuance: Date of Issuance: \_\_\_\_\_
- OR
- You do NOT have to come to court but must answer this complaint to Court listed below within 30 (thirty) days from issuance: Date of Issuance: \_\_\_\_\_
- OR
- You MUST come to court at 8:30 o'clock AM on 2/29 yr. 2008 to answer this complaint.

Ticket # 05-65489009C

STATE OF NEW HAMPSHIRE, STRAFFORD COUNTY  
 DOVER DISTRICT COURT 8002901  
 25 ST. THOMAS STREET  
 DOVER, NH 03820

THE UNDERSIGNED COMPLAINS THAT THE DEFENDANT: (Please Print)

STEVENS | | | | CLARK | | | | WI | | | |  
LAST NAME FIRST NAME MI

21 | Prospect St. | PORTSMOUTH | NH | 03150 |  
ADDRESS CITY STATE ZIP

04 | 22 | 85 | | 04 | 55 | 85 | 22 | 11 | | | NH | OP | R |  
DOB MO DAY YR OP. LIC. # STATE CLASS

M | W | 50.8 | 160 | BLU | BRN | A.M.  
Sex Race Height Weight Color Eyes Color Hair

ON THE 17th DAY OF February YR. 2008 AT 12:54 P.M.

DID OPERATE M.V. REG. NO. 2405977 PLATE TYPE PASS STATE NH

MAKE Volkswagon YEAR 1997 TYPE Jetta  COMM. VEHICLE  HAZMAT

AT Dover, New Hampshire

Upon a certain public highway, to wit - Locust Street (Location)

at a speed greater than was reasonable and prudent under the conditions prevailing, to wit, at a rate of \_\_\_\_\_ m.p.h., the prima facie lawful speed limit at the time and place of violation being \_\_\_\_\_ m.p.h. Contrary to RSA 265:60.  Radar  Aircraft  Clocked

Traveling at a rate of \_\_\_\_\_ m.p.h., the same being in excess of the maximum lawful speed limit of 65 m.p.h.

did fail and neglect to stop the said vehicle for a certain

stop sign (contrary to RSA 265:31)

traffic light (contrary to RSA 265:9) before entering the intersection of \_\_\_\_\_

**RECEIVED**

did fail and neglect to have the said vehicle inspected in accordance with the regulations of the Director of Motor Vehicles. Contrary to RSA 266:5.

did fail and neglect to have said vehicle registered in accordance with law. Contrary to RSA 261:40

Other FEB 27 2008

DOVER DISTRICT COURT Against the peace and dignity of the State.

PAVEMENT:  Dry  Wet  Ice  Snow

TRAFFIC:  Light  Medium  Heavy  Accident Resulting

WEATHER:  Rain  Snow  Ice  Fog  Clear  Cloudy

Dover Police Brian Johnson (JOHNSON) 816  
Dept. Complainant Badge No.

SERVED IN HAND FINE MUST APPEAR

Personally appeared the above named complainant and made oath that the above complaint by him/her subscribed is, in his/her belief, true.

DATE \_\_\_\_\_ Justice of the Peace \_\_\_\_\_



Change Plea  Not Guilty to Guilty  Not Guilty  Nolo

**FINDING:**  Guilty  Not Guilty  Dismissed

Waiver of Counsel and Rights Acknowledged

Appearance of \_\_\_\_\_ for the defendant

Nolle Prossed by \_\_\_\_\_ on \_\_\_\_\_ date

Continued from \_\_\_\_\_ to 4-8-08 by \_\_\_\_\_

Continued from \_\_\_\_\_ to \_\_\_\_\_ by \_\_\_\_\_

**SENTENCE:**

Fines of \$ \_\_\_\_\_ amount suspended \$ \_\_\_\_\_ P.A. \$ \_\_\_\_\_ Total \$ 72.00  
(amount suspended on conditions stated below)

Time Payment: \_\_\_\_\_  
 Ordered  Recommended defendant's license (privileges) to operate a motor vehicle be  
 suspended  revoked for a period of \_\_\_\_\_  Lic. forwarded  
 Defendant placed on probation for a period of \_\_\_\_\_  
 Case continued for sentence  Complaint placed on file  with  without finding  
 Other \_\_\_\_\_

**DEFAULT:**

Fine \$ \_\_\_\_\_ P.A. \$ \_\_\_\_\_ Admin. Fee  imposed \$ \_\_\_\_\_  waived Total \$ \_\_\_\_\_

Defendant failed to  appear on \_\_\_\_\_ date  pay on \_\_\_\_\_ date

Bench Warrant: Ordered \_\_\_\_\_ (date) issued \_\_\_\_\_ (date)

for  non-appearance  non-payment

Bail to be Determined by Bail Commissioner \$ \_\_\_\_\_

Bail set by Court \$ \_\_\_\_\_ PR / CASH / SURETY

Other \_\_\_\_\_

Recommend license suspension

Justice Signature

**APPEAL:**

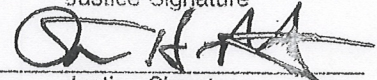
To Superior Court (De Novo trials only): \_\_\_\_\_ The Defendant appeals.

To Superior Court: To be perfected within 30 days or sentence will be invoked.

Default Date

3/4/08

Justice Signature



Conviction Date

Justice Signature

**Stephen H. Roberts**