

THE STATE OF NEW HAMPSHIRE

SUPREME COURT

NO. 2025-0270

State of New Hampshire

v.

Tyler Twombly

**MOTION TO CHALLENGE SUPREME COURT PANEL/REQUEST FOR STAY
OF ORAL ARGUMENT**

NOW COMES the Petitioner, Tyler Twombly, by and through counsel, Mark L. Sisti, Esq., and Challenges the Composition of the Panel that has Presently been Announced for his Oral Argument and Moves to Stay the Argument until there is Clarification and Open Access to all Files Pertaining to the JCC Investigation and the Status of the Current Justices Before the JCC.

As grounds, Mr. Twombly states as follows:

1. His case is scheduled for Oral Argument on September 22, 2026, in the afternoon.
2. Presently we believe, although we are not certain, that the Panel consists of Justice Donovan, Justice Will and Assigned Judge Temple.
3. Originally, the anticipated would have consisted of five (5) Supreme Court Justices.
4. It is counsel's understanding that Former Chief Justice MacDonald of course is no longer on the Panel due to his resignation and stipulation with the JCC.
5. It is counsel's understanding that Justice Countway is disqualified because of her prior prosecution of Tyler Twombly while exercising her duties as Belknap County Attorney.
6. Counsel has no idea why Justice Gould is disqualified and moves for explanation as to why he removed himself or was removed from the Panel.

7. It is also understood that Justice Donovan remains on the Panel. Upon information and belief, as well as published media and the JCC findings, he was a co-signer on a letter endorsing a position that the Martin Decisions made were entirely consistent and in keeping with normal administrative process. This of course has been found to be inaccurate at best.

8. Upon information and belief, Justice Will has no conflict and was not a Supreme Court Justice at the time of the Martin personnel matter. However, it is also understood that a Motion to Seal documents was granted on September 18, 2026, concerning the sealing of certain Court documents related to the JCC investigation.

9. Tyler Twombly requests a fully qualified vetted Panel of five (5) Justices to hear his Mandatory Appeal. He faces decades of incarceration and the right to appeal is a critical stage designed to guarantee him due process. (Pt. 1, Art. 15 of the N.H. Constitution).

10. As of this writing, he remains unsure of the Panel assembled to hear his matter. He is unsure of their relationship to any ongoing JCC investigation.

11. His concerns are not unfounded as the makeup of his Panel has shifted and the explanation of why certain Justices remain on the Panel and why a certain Justice has been disqualified remains unknown.

12. Counsel for Mr. Twombly spent Sunday, September 20, 2026, with him at the S.H.U. (Special Housing Unit) at the NH State Prison for Men. In order to adequately explain what the status of his Appeal is and guarantee him his right to counsel a Stay is requested.

WHEREFORE Mr. Twombly respectfully requests Stay of Oral Arguments, moves for full disclosure of the present state of JCC investigation into any sitting Associate Justice, requests the specific reason for the Justice Gould disqualification and any other relief deemed fit and just in this unusual setting.

Respectfully Submitted,

Dated: September 21, 2026

/s/ Mark L. Sisti, Esq.
Mark L. Sisti, Esq.
NH Bar No.: 2357
Sisti Law Offices
387 Dover Road
Chichester, NH 03258
(603) 224-4220
info@sistilawoffices.com

CERTIFICATION

I hereby certify that on this 21st day of September 2026 that a copy of the foregoing Motion to Challenge Supreme Court Panel/Request for Stay of Oral Argument has been forwarded to John A. Drennan, Esq. and Anthony J. Galdieri, Esq., of the Attorney General's Office, via the Court's electronic filing system.

/s/ Mark L. Sisti, Esq.
Mark L. Sisti, Esq.