

OFFICE OF  
CLERK OF SUPERIOR COURT  
STRAFFORD COUNTY

JULIE W. HOWARD, CLERK  
SUSAN W. ASHLEY, DEPUTY CLERK  
SUZANNE R. DOYLE, DEPUTY CLERK

(603) 742-3065  
TTY/TDD Relay Number  
1-800-735-2964

GRIMES JUSTICE AND  
ADMINISTRATION BUILDING  
P.O. BOX 799  
DOVER, NEW HAMPSHIRE  
03821-0799

THE STATE OF NEW HAMPSHIRE

RECEIPT OF WRIT

DATE: August 15, 2003

DOCKET NUMBER: 03-C-207

JEFFREY MARSHALL

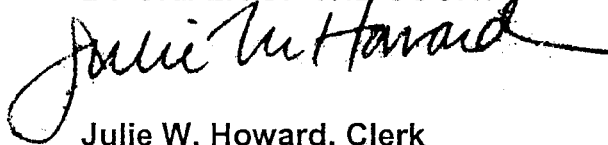
V.

CHAD EVANS

The writ in the above-captioned matter was filed with the Clerk of this Court on:  
August 14, 2003 at 2:30 pm.

The plaintiff or his/her attorney is to attach a copy of this receipt to identical copies of the original writ and deliver them to the Sheriff or other legally authorized entity for service on each named defendant. Sufficient copies shall be provided to allow for a service copy for each named defendant and a copy for each officer completing service to complete the return. The return copies shall be filed with the Court in accordance with *Superior Court Rule 3*.

BY ORDER OF THE COURT



Julie W. Howard, Clerk  
Strafford Superior Court  
P.O. Box 799  
Dover, NH 03821-0799  
(603) 742-3065

# The State of New Hampshire

SUPERIOR COURT

STRAFFORD COUNTY

( ) COURT  
(X) JURY

WRIT OF SUMMONS

JEFFREY MARSHALL  
85 Roger Road  
Kittery, ME 03904

v.

CHAD EVANS  
New Hampshire State Prison  
for Men  
281 North State Street  
Concord, NH 03302-0014

The Sheriff or Deputy of any County is ordered to summon each defendant to file a written appearance with the Superior Court at the address listed below by the return day of this writ which is the first Tuesday of Oct., 2003 .  
YEAR MONTH

The PLAINTIFF(S) state(s): see attached.

and the Plaintiff(s) claim(s) damages within the jurisdictional limits of this Court.

\_\_\_\_\_  
INDORSER (sign and print name)

8/13/03  
DATE OF WRIT

**NOTICE TO THE DEFENDANT**

The Plaintiff listed above has begun legal action against you. You do not have to physically appear in Court on the return day listed above since there will be no hearing on that day. However, if you intend to contest this matter, you or your attorney must file a written appearance form with the Clerk's Office by that date. (Appearance forms may be obtained from the Clerk's Office.) You will then receive notice from the Court of all proceedings concerning this case. If you fail to file an appearance by the return day, judgment will be entered against you for a sum of money which you will then be obligated to pay.

Witness, Walter J. Murphy  
JOSEPH R. WADEAU, Chief Justice, Superior Court.

[Signature]  
SIGNATURE OF PLAINTIFF/ATTORNEY

Julie W. Howard  
Julie W. Howard, Clerk  
NH Superior Court Strafford County  
County Farm Road PO Box 799  
Dover NH 03821-0799  
(603) 742-3065

Stephen C. Brown  
PRINTED/TYPED NAME  
21 South Main Street  
ADDRESS  
Rochester, NH 03820 / (603) 332-3535  
PHONE

**THE STATE OF NEW HAMPSHIRE**

STRAFFORD COUNTY, SS.

SUPERIOR COURT

JEFFREY MARSHALL

vs.

CHAD EVANS

**COUNT I.**

(1.) IN A PLEA OF THE CASE, for that: In November, 2000, the Plaintiff became a material witness in the investigation of the murder of Kassidy Bortner, a 22 month old child, in which the Defendant, Chad Evans, was the accused.

(2.) From the time of the murder, November 9, 2000 to the end of the trial, December 19, 2001, a period of over a year, Chad Evans continually and repeatedly accused the Plaintiff of the murder of Kassidy Bortner, a 22 month old child, in public and to the print and electronic media, both in the State of New Hampshire and elsewhere.

(3.) The Defendant, Chad Evans, falsely accused the Plaintiff of the murder of Kassidy Bortner, with an evil motive: to escape responsibility for the crime, second degree murder of Kassidy Bortner, a 22-month old child, for which he stood accused in Strafford County Superior Court.

(4.) At no time since the murder of Kassidy Bortner, was the Plaintiff a suspect in the investigation of Kassidy's Bortner's death. At trial, the Plaintiff testified for the State. The Defendant, Chad Evans was convicted of the murder of Kassidy Bortner and other offenses, see Exhibit 1.

(5.) The Defendant, Chad Evans, repeatedly charged the Plaintiff with a crime, that is, the murder of Cassidy Bortner, a 22-month-old child. Said charge was false. Plaintiff is entitled as a matter of law to damages to harm to his reputation. Because the Defendant, Chad Evans, made this false charge with evil motive, that is, to escape responsibility for the crime of which he was in due course convicted, the Plaintiff is entitled to recover more liberal damages, including compensation for mental distress, insult, degradation and injured feelings and pride.

## **COUNT II.**

(6.) IN A PLEA OF THE CASE, for that: Plaintiff reaffirms, re-alleges, and incorporates by reference paragraphs 1 through 5 hereinabove. Plaintiff alleges further that Defendant intentionally accused Plaintiff of a murder that he did not commit; that Defendant knew at the time he accused Plaintiff of the murder that Plaintiff did not commit it; that to accuse the Plaintiff of a murder that he did not commit is extreme and outrageous; that this accusation caused the Plaintiff extreme emotional distress, for which Plaintiff demands full, fair and adequate compensation.

THE STATE OF NEW HAMPSHIRE

STRAFFORD COUNTY, SS.

SUPERIOR COURT

JEFFREY MARSHALL

vs.

CHAD EVANS

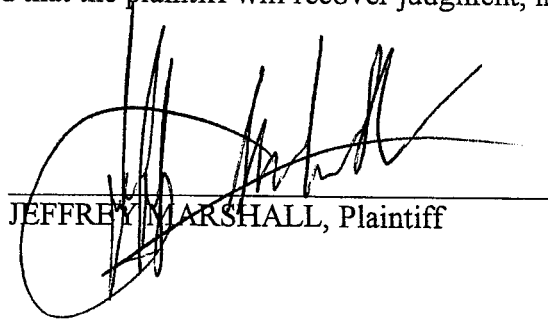
PETITION TO ATTACH WITH NOTICE

The plaintiff petitions for permission to make the following attachments:

Name of Defendant:	Real Estate	Other	Amount of Attachment
<u>1. Chad Evans</u>	x	x	\$150,000.00

In support of this petition, the plaintiff certifies that:

The plaintiff believes there is a reasonable likelihood that the plaintiff will recover judgment, including interests and costs, in the amount of \$200,000.00.



JEFFREY MARSHALL, Plaintiff

STATE OF NEW HAMPSHIRE  
COUNTY OF STRAFFORD

Personally appeared the person signing the above petition and certification, and swore that it is true to the best of his knowledge and belief.

8-15-03  
Date

Monna M. Bessit  
Notary Public/ Justice of the Peace  
COMM. EXPIRES: 12-5-06

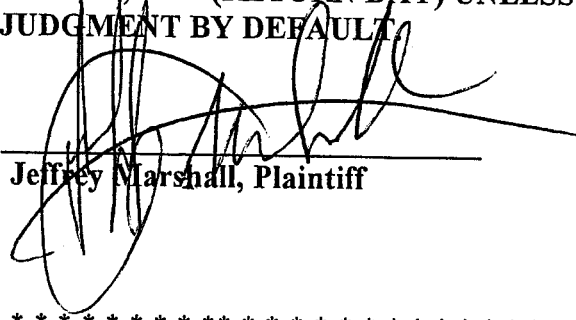
**NOTICE TO THE DEFENDANT**

**THE PLAINTIFF INTENDS TO ATTACH YOUR PROPERTY, AS SET FORTH IN THE ABOVE PETITION FOR PERMISSION TO DO SO, TO SECURE ANY JUDGMENT OR DECREE THE PLAINTIFF MAY OBTAIN IN THIS ACTION. YOU HAVE THE RIGHT TO OBJECT TO THE ATTACHMENT, AND HAVE A HEARING AS TO WHETHER IT SHOULD BE MADE. IF YOU DO WISH TO OBJECT, AND HAVE A HEARING, YOU SHOULD FILE A WRITTEN OBJECTION, DETAILING THE REASONS THEREFORE, TOGETHER WITH A REQUEST FOR A HEARING, WITH THE CLERK OF COURT, NO LATER THAN October 8, 2003 (RETURN DAY).**

**IF YOU FAIL TO OBJECT BY THAT DATE, YOU WILL BE DEEMED TO HAVE WAIVED ANY OBJECTION.**

**IF YOU TRANSFER ANY PROPERTY AFTER RECEIVING THIS NOTICE, AND BEFORE THE ATTACHMENT, IF ALLOWED, YOU WILL BE SUBJECT TO THE PROVISIONS OF RSA 511-A:6.**

**EVEN IF YOU DO NOT OBJECT TO THE ATTACHMENT, YOU SHOULD FILE AN APPEARANCE WITH THE CLERK OF COURT BY October 8, 2003 (RETURN DAY) UNLESS YOU ARE WILLING THAT THE PLAINTIFF HAVE JUDGMENT BY DEFAULT.**

  
\_\_\_\_\_  
Jeffrey Marshall, Plaintiff

\*\*\*\*\*

**ORDER**

The plaintiff is granted permission to make the above attachment(s) within \_\_\_\_\_ days.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Justice, Master, Referee