

THE STATE OF NEW HAMPSHIRE
Keene District Court

Cheshire, SS

February 10th, 2009

State of New Hampshire
v.
Ian Bernard

Motion to Quash #2 / Response to Supplement to Motion to Show Cause

NOW COMES Ian Bernard to ask the Honorable Court to quash the Supplement to Motion to Show Cause filed by Eliezer Rivera, Police Prosecutor, claiming to represent the State of New Hampshire.

1. Mr. Rivera's Supplement in points one and two, alleges Mr. Bernard was in possession of marijuana on January 10, 2009. In point six, Mr. Rivera confirms that no charges are being brought against Mr. Bernard.
2. Mr. Bernard reminds Mr. Rivera and the Keene Police Department that the Court's "FURTHER ORDER ON CONTEMPT: FINE PAYMENT ORDER" issued on November 17, 2008, defines "good behavior" as, **"committing no felonies, misdemeanors, or major motor vehicle violations"**
3. As Mr. Rivera has not brought charges against Mr. Bernard, Mr. Bernard is clearly adhering to the Court's definition of "good behavior".
4. Mr. Bernard has honored his word and contributed hundreds of US Dollars to a local charity and has continued to respond to Mr. Rivera's filings in ways the Court should find appropriate, as he promised to do.
5. Mr. Bernard does not wish to be in an adversarial relationship with Mr. Rivera or the Keene Police Department. He is an upstanding individual who has better things to do than respond to unfounded allegations that appear to be targeted against him as a result of his being a media personality critical of the City of Keene. Mr. Bernard encourages Mr. Rivera and the Keene Police Department to pursue real criminals whose alleged crimes have a victim.

Submitted this 10th day of February, 2009

Ian Bernard

CERTIFICATE OF SERVICE

I hereby certify that I have forwarded a true copy of said motion to Eliezer Rivera, 400 Marlboro St, Keene, NH 03431 on February 10th, 2009.

Ian Bernard