

Date 7-22-08  
[Signature]  
Paul S. Moore

Probable cause existed for the arrest of the defendant

Date

7-22-08

Justice Of The Peace

[Signature]  
Bill Ham

Nashua Police Prosecutor

[Signature]

Personally appeared before me, the undersigned authority, [Signature] and swore that the attached reports are true to the best of his/her knowledge and belief.

AFFADAVIT IN SUPPORT OF PROBABLE CAUSE ARREST  
IN THE ABSENCE OF A WARRANT

[Signature]  
Joseph Bissou

v.

State

Hillsborough SS

The State of New Hampshire

2008 JUL 22 A 7:55

NASHUA DISTRICT COURT

DEPARTMENT OF POLICE  
 NASHUA, NEW HAMPSHIRE  
 PROSECUTOR SYNOPSIS

NASHUA DISTRICT COURT  
 2008 JUL 22 A 7:55

1. Defendant		Joseph Bisson (date of birth 11-11-65) 57 Minor Street Manchester, New Hampshire 03101 SSN# <del>00-00-0000</del>	
6. State's Witnesses		1. James Halloran, 3-1 Louisberg Square, Nashua, NH 2. Donald Grady, 300 West Main St, Waldoboro, ME, 3. Keith Bernasconi, 75 Whitney Street Apt 2, Nashua, NH 4. Michael Dupont, 7 Thayer Court, Nashua, NH 5. Clayton Stuart, 68 E. Pearl St, Nashua, NH 6. Officer Guido Marchionda, NPD 7. Officer Charles MacGregor, NPD 8. Officer Ross Desmet NPD 9. Officer Nichole Collins, NPD 10. Officer Timothy MacLassac, NPD 11. Detective Dennis Lee, NPD 12. Detective Daniel Mederos, NPD	
3. Prior Criminal Record		cite local record, NCIC, III, NHSP, MASP 15(a) Currently on Bail (X) Pending Cases (X)NPD 08-22279-AR Probation & Parole ( ) County Attorney (X)	
18. Synopsis		Witness #1, James Halloran, can testify that on 7-22-08 at approximately 12:45 am, he was outside Fody's Tavern at 9 Chinton Street in Nashua with his friend Donald Grady. A bouncer who works at Fody's told them that he had just heard glass break and saw a subject enter a building across the street. He and Grady crossed Main Street and observed the bottom portion glass of the front door of the Dokdo Market at 23 A Main Street to be smashed out. He entered the Market through the damaged door and confronted the defendant just within the front entrance and asked him what he was doing. The defendant was carrying a brown paper bag. The defendant fled outside the market through the damaged door and Grady attempted to grab and stop the defendant outside. They chased the defendant across Thayer Court and behind a residence across the street from the Market where he was able to tackle the defendant. The defendant, who was still	
2. Case Numbers	08-54286	3. Arrest Number	08-54286-AR
4. Violations:			
• Burglary, class A felony-NH RSA 635:1 • (6 counts ) Simple Assault, misdemeanor- NH RSA 631:2-a 5. Penalty Up to fifteen years imprisonment, exclusive of fines for class A felony Up to one year imprisonment, exclusive of fines for each misdemeanor			
7. Date of Arraignment			
8. States Recommendation B.O.G.J.			
9. Prosecuted By:		10. Defense Counsel	
11. Presiding Justice		12. Continuance Date	
13. Disposition/Date		14. Bail Information	
16. Date & Time of Arrest		17. Arrested By:	
7-22-08 @ 1:37 am		Officer Guido Marchionda	

carrying the brown paper bag, punched him in the nose with the bag in hand. He and Grady began to struggle with the defendant to detain the defendant for the police. The defendant continued to fight in an attempt to get away. The defendant punched him again in the nose with a closed fist. He and Grady continued for several minutes to struggle with the defendant. He attempted to call the police from his cell phone as they struggled with the defendant. During this struggle he observed the defendant bite Grady in the arm. The police arrived and took the defendant into custody. He never lost sight of the defendant as they exited the market and up until he was able to tackle the defendant across the street. After the incident he observed the brown paper on the ground with cigarette boxes within.

Witness #2, Donald Grady, can testify that on 7-22-08 at approximately 12:45 am, he was outside Fody's Tavern at 9 Clinton Street in Nashua with his friend James Halloran. A bouncer who works at Fody's told them that he had just heard glass break and saw a subject enter a building across the street. He and Halloran crossed Main Street and observed the bottom portion glass of the front door of the Dokdo Market at 23 A Main Street to be smashed out. Halloran entered the Market through the damaged door and confronted the defendant just within the front entrance. The defendant was carrying a brown paper bag. The defendant was wearing a white t-shirt and ball cap. The defendant fled outside the market through the damaged door and he attempted to stop and grab the defendant outside. They chased the defendant across Thayer Court and behind a residence across the street from the Market where Halloran was able to tackle the defendant. The defendant, who was still carrying the brown paper bag, punched Halloran in the face with the bag in hand. He and Halloran began to struggle with the defendant in an attempt to detain the defendant for the police. The defendant continued to fight to get away. The defendant punched Halloran again in the nose with a closed fist. He and Halloran continued for several minutes to struggle with the defendant. He placed the defendant in a headlock. The defendant bit his left bicep breaking the skin and then punched him three times in the face and head area. Halloran called the police from his cell phone as they struggled with the defendant. During this struggle he sustained an abrasion on his right arm and his eye glasses and wrist watch were damaged. The police arrived and took the male into custody. After the incident he observed the brown paper on the ground with cigarette boxes within. He was transported to the Southern New Hampshire Medical Center where he was treated and released for his injuries. He confirmed he never lost sight of the defendant as the defendant exited the market and up until he and Halloran were able to detain the defendant across the street.

Witness #3, Keith Bernasconi, can testify that he is employed as a doorman at Fody's Great American Tavern, located at 9 Clinton Street, Nashua. That on 7-22-08 at approximately 12:45 am he was clearing an outdoor seating area of empty bottles when he heard what he believed to be glass breaking. That he then looked towards the area of the Asian Market, the Dokdo Market and observed a white male dressed in a white shirt and shorts along the business' wall. The male proceeded to kick the door two additional times before completely breaking the glass portion of the door. That as he observed this action that he informed patrons of the Tavern as to what he witnessed. That two of the patron ran over to the business. That he observed that patron Jim enter the business after the defendant, and exit a short time later while holding the suspect by the back of his shirt. That as the defendant exited from the business that he observed him to be carrying a paper bag. After the defendants exit from the business he observe the two patrons chase after the defendant after his exit from the store. That he then lost sight of the subjects as they ran behind a building, and he then attempted to telephone the Nashua Police to report the incident.

Witness #4, Michael Dupont, can testify that he resides at 7 Thayer Court. That on 7-22-08 at approximately 12:50 am he was in his residence watching television. That he heard the sound of glass breaking, and proceeded to look out of the window towards the Dokdo Asian Market. He observed a white male dressed in a white shirt standing in the area of the Dokdo Market's entrance. He observed the subject kick the glass portion of the door two additional times, and that the male proceeded to enter the business. After watching the subject enter the business he saw additional subjects arrive on scene. He then observed the three subjects begin to run at the exterior of the business. The three males ran towards the direction of his residence and he observed two of the males attempt to detain the defendant. As the two subjects attempted to detain the defendant, he heard them tell the defendant to stop his resisting and observed one subject attempt to hold down the defendant, while attempting to dial his telephone to report the incident.

Witness #5, Clayton Stuart, can testify that he is employed by the Dokdo Market at 23 A Main Street. He closed the Market on 7-21-08 at 7:30 pm. At this time the front door glass was intact and the cigarette case behind the counter was full. He was called to the scene by uniform officers and confirmed that the brown paper bag and the cigarette packs observed in the rear of 7 Thayer Court were from within the store. He pointed out the cigarette rack behind the counter of the Market which previously contained the cigarettes packs and the area on the floor behind the counter where the bag was with several other similar paper bags. He confirmed that the forty-two cigarette packs recovered have a total combined value of \$163.20. He confirmed the defendant didn't have permission to be in the market.

**Witness #6, Officer Guido Marchionda**, can testify that on 7-22-08 at 12:52 am, he responded to the Dokdo Market at 23 Main Street for a burglary in progress. He observed the front glass door of the market to be broken. He made contact with James Halloran, Donald Grady and the defendant across the street from the market. He observed the defendant actively resisting and attempting to assault Halloran and Grady. After an initial investigation he placed the defendant under arrest. He transported the defendant to the Nashua Police Department where the defendant was booked per SOP and placed in a holding cell. He recovered the defendant shorts, socks and footwear as possible evidence.

**Witness #7, Officer Charles MacGregor**, can testify that on 7-22-08 at 12:52 am, he responded to the Dokdo Market at 23 Main Street for a burglary in progress. He made contact with James Halloran and transported Halloran to the Nashua Police Department to speak with detectives.

**Witness #8, Officer Ross Desmet**, can testify that on 7-22-08 at 12:52 am, he responded to the area of Thayer Court for a burglary in progress. He made contact with James Halloran, Donald Grady, Keith Bernasconi, Clayton Stuart and Michael Dupont. He arranged for Bernasconi and Dupont to respond to the Nashua Police Department to speak with detectives. He secured the Dokdo Market as a scene. He observed the front glass door of the Market to be broken.

**Witness #9, Officer Nichole Collins**, can testify that on 7-22-08 at 12:52 am, she responded to the Dokdo Market at 23 Main Street for a burglary in progress. She secured the rear area of 7 Thayer Court as a crime scene. She collected the defendant's white t-shirt and ball cap as evidence. These items were located on the ground in the rear of 7 Thayer Court. She collected the brown paper bag and forty two packs of cigarettes as evidence which were located on the ground in the rear of 7 Thayer Court.

**Witness #10, Officer Timothy MacIsaac**, can testify that on 7-22-08 he responded to Dokdo Market at 23 A Main Street and behind 7 Thayer Court and photographed the scenes and evidence collected.

**Witness #11, Detective Dennis Lee**, can testify that he assisted with this investigation. On 7-22-08 he obtained formal video and audio recorded statements from Keith Bernasconi and Michael Dupont.

**Witness #12, Detective Daniel Mederos**, can testify that he was assigned to further this investigation. On 7-22-08 he obtained formal video and audio recorded statements from James Halloran and Donald Grady at the Nashua Police Department. He observed Halloran with redness to his nose. He observed Grady with redness to his left face and bandages on his left bicep and right arm. He photographed these injuries. He obtained a written Medical records release from Grady for his treatment. On 7-22-08 at approximately 2:40 am, he made contact with the defendant who was secured in a holding cell. The defendant refused to exit his cell to be escorted to an interview room or speak with him regarding this incident. On 7-22-08 he responded to and observed the scenes at the Dokdo Market, whose front entrance is on Thayer Court, and behind 7 Thayer Court.

19. Signature (Investigator)  
Detective Daniel Mederos

20. Approved (Name and Title)