

ATTORNEY GENERAL AUG31'21 AM10:58 RCVD
DEPARTMENT OF JUSTICE

806
2021

33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JANE E. YOUNG
DEPUTY ATTORNEY GENERAL

August 31, 2021

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Your Excellency and Members of the Council:

REQUESTED ACTION

That approval be and hereby is given to the Attorney General to appoint Joe M. Fincham II to Position #9U222 (Appropriation #02-20-20-200510-26100000-013-500132) as an Attorney at a salary level of \$80,000, effective upon Governor and Executive Council approval or September 24, 2021, whichever is later.

EXPLANATION

Mr. Fincham, a Londonderry resident, is admitted to practice law in New Hampshire and West Virginia. He graduated from Marshall University with a Bachelor of Arts, *magna cum laude*, in 2007 and a Master of Arts in English in 2009. He earned his Juris Doctor, with a concentration in Litigation, from Thomas M. Cooley Law School in 2011. Mr. Fincham began his legal career in 2011 as an Assistant Prosecuting Attorney at the Cabell County Prosecuting Attorney's Office in Huntington, West Virginia. From 2012 to 2013 he was an Associate at Campbell Woods, PLLC, in the same city. He was an Assistant Public Defender at the Cabell County Public Defender's Office from 2013 to 2014 before returning to the Cabell County Prosecuting Attorney's Office as an Assistant Prosecuting Attorney. His assignments in that office focused on felony trials, white collar/organized crime, and special investigations. He left that position in 2020, moved to New Hampshire, and joined the Rockingham County Attorney's Office as an Assistant County Attorney. While prosecuting in West Virginia, he completed Financial Investigations and Advanced Financial Investigations Practical Skills courses at the National White Collar Crime Center. In light of Mr. Fincham's experience, I am requesting he be appointed as an Attorney at a salary of \$80,000. He will be assigned to the Criminal Justice Bureau's Public Integrity Unit. A copy of his resume is attached.

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
August 31, 2021
Page 2 of 2

RSA 94:1-a(1)(c)(3) provides that designation of positions, salary levels, and salary increases for attorneys at the Department of Justice shall be determined by the Attorney General, subject to approval of the Governor and Council, within appropriations made to the Department of Justice.

I am very pleased to offer Mr. Fincham's appointment as an Attorney at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John M. Formella". The signature is written in a cursive style with a large initial "J" and "F".

John M. Formella
Attorney General

#3287305

Joe M. Fincham II, Esq.

EDUCATION

Juris Doctor

Thomas M. Cooley Law School, 2011
Concentration: **Litigation**

Master of Arts, English

Marshall University, 2009
Area of Specialization: **Linguistics**
Thesis: Language and Semogenesis in Philosophy: Realizational Patternings of Ideology in Lexico-grammar (May 2009).

Bachelor of Arts, Humanities

Marshall University, 2007
Major: **Philosophy**
Minor: **Religious Studies**
Magna Cum Laude

BAR ADMISSIONS

2020-present New Hampshire State Bar

2012-present West Virginia State Bar

2012-present United States District Court for the Southern District of West Virginia

LEGAL EXPERIENCE

2020-present **Assistant County Attorney**
Rockingham County Attorney's Office
Kingston, NH

2014-2020 **Assistant Prosecuting Attorney**
Felony Trials, White Collar/Organized Crime, and Special Investigations
Cabell County Prosecuting Attorney's Office
Huntington, WV

2013-2014 **Assistant Public Defender**
Cabell County Public Defender's Office
Huntington, WV

- 2012-2013 **Associate Attorney**
Civil Defense Litigation
Campbell Woods, PLLC
Huntington, WV
- 2011-2012 **Assistant Prosecuting Attorney**
Cabell County Prosecuting Attorney's Office
Huntington, WV

SPECIALIZED TRAINING

- 2017 **Advanced Financial Investigations Practical Skills**
National White Collar Crime Center
- 2015 **Financial Investigations Practical Skills**
National White Collar Crime Center

ACADEMIC POSITIONS

- 2018-2020 **Adjunct Professor**
Marshall University Department of Religious Studies
- Spring 2011 **Research Assistant**
Professor William Wagner, Cooley Law School
- 2007-2009 **Graduate Teaching Assistant**
Marshall University Department of English
- Fall 2007 **Adjunct Instructor**
Marshall University Department of Religious Studies

PUBLICATIONS AND CONFERENCE PRESENTATIONS

Published Cases

State v. Davis, 236 W.Va. 550, 782 S.E.2d 423 (2015).

Academic Publications

Analyzing Philosophical Discourse, In Canzhong Wu, Christian M.I.M. Matthiessen, & Maria Herke (eds.), 2008 PROC. OF ISFC 35: VOICES AROUND THE WORLD 371.

Hyo-Chang Hong & Joe Fincham, *Semogenesis and Ontologies of the Language of Philosophy*, 14 Linguistics Stud. 209, 211-14 (2009).

Conference Presentations

“Social and Institutional Functions of Lexicogrammar: a Case Study of the Language of the Courtroom”. 45th International Systemic Functional Congress. Boston University, Boston, Massachusetts: July 2018.

“Mental Process Clauses and the Perceived Problems of Philosophy” (later titled “Analyzing Philosophical Discourse”). 35th International Systemic Functional Congress. Macquarie University, Sydney, Australia: July 2008.

COMMITTEE, COMMUNITY, ORGANIZATION POSITIONS

2014-2020	Western Regional Day Report Center Board Member
2014-2017	St. John’s House Board Member
2012	United Way of the River Cities Ambassador

REFERENCES

Melissa E. Fales, Esquire

Deputy County Attorney
Rockingham County Attorney’s Office
P.O. Box 1209
Kingston, NH 03848
(603) 642-4249 (main office)
mfales@rcao.net

Judge Daniel P. O’Hanlon

Senior Judge
West Virginia Sixth Judicial Circuit
729 9th Avenue #86
Huntington, WV 25701
(304) 942-1280 (cell)
danno1800@gmail.com

Brent W. Walters, Esquire

Chief Public Defender
Cabell County Public Defender’s Office
734 Fourth Avenue
Huntington, WV 25701
(304) 522-1265 (main office)
brent_walters@ccpdo.org