

ATTORNEY GENERAL
DEPARTMENT OF JUSTICE

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33 CAPITOL STREET
CONCORD, NEW HAMPSHIRE 03301-6397

JOHN M. FORMELLA
ATTORNEY GENERAL



JAMES T. BOFFETTI
DEPUTY ATTORNEY GENERAL

October 5, 2022

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 Assistant Attorney General at a salary level of \$87,000, effective upon Governor and Executive Council approval, or October 21, 2022, whichever is later, for a term ending October 9, 2026.

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. While prosecuting in West Virginia, he completed Financial Investigations and Advanced Financial Investigations Practical Skills courses at the National White Collar Crime Center. He left that position in 2020, moved to New Hampshire, and joined the Rockingham County Attorney's Office as an Assistant County Attorney. Mr. Fincham joined the Department in 2021 and was assigned to the Criminal Bureau. I plan to continue his current assignment. His salary will increase by \$6,072 from \$80,928 to \$87,000. A copy of his resume is attached.

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RSA 94:1-a(I)(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 Assistant Attorney General at the above-referenced salary for your approval and respectfully urge your favorable consideration. Thank you.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J.M. Formella", written in a cursive style.

John M. Formella
Attorney General

#3725865

Joe M. Fincham II, Esq.

EDUCATION

Juris Doctor

Thomas M. Cooley Law School, 2011
Concentration: **Litigation**
Class Rank: 11/209

Master of Arts, English

Marshall University, 2009
Area of Specialization: **Linguistics**
Thesis: Joe Fincham, Language and Semogenesis in Philosophy:
Realizational Patternings of Ideology in Lexico-grammar (May
2009), *available at*
<https://mds.marshall.edu/cgi/viewcontent.cgi?referer=&httpsredir=1&article=1584&context=etd>

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

LEGAL EXPERIENCE

2021-present	Attorney New Hampshire Department of Justice Public Integrity Unit
2020-2021	Assistant County Attorney Rockingham County (NH) Attorney's Office Felony Trials

2014-2020 **Assistant Prosecuting Attorney**
Cabell County (WV) Prosecuting Attorney's Office
Major Felony Trials, Financial & Organized Crime, Special Investigations

2013-2014 **Assistant Public Defender**
Cabell County (WV) Public Defender's Office
Felony & Misdemeanor Trials

2012-2013 **Associate Attorney**
Campbell Woods, PLLC
Civil Defense Litigation

2011-2012 **Assistant Prosecuting Attorney**
Cabell County (WV) Prosecuting Attorney's Office
Felony & Misdemeanor Trials

Summer 2011 **Extern**
Cabell County (WV) Prosecuting Attorney's Office
Felony & Misdemeanor Trials

2010-2011 **Intern**
Judge Paula Manderfield
30th Judicial Circuit Court – Circuit Court General Trial Division
Ingham County, Michigan

SPECIALIZED TRAINING

2022 **Advanced Digital Evidence for Prosecutors**
National Computer Forensics Institute
Hoover, Alabama

2017 **Advanced Financial Investigations Practical Skills**
National White Collar Crime Center
Colorado Springs, Colorado

2015 **Financial Investigations Practical Skills**
National White Collar Crime Center
Orlando, Florida

ACADEMIC POSITIONS

2018-2020 **Adjunct Professor**
Marshall University
Department of Humanities
Division of Religious Studies

Spring 2011	Research Assistant Thomas M. Cooley Law School Professor William Wagner
2007-2009	Graduate Teaching Assistant Marshall University Department of English
2007-2008	Writing Tutor Marshall University Marshall University Writing Center
Fall 2007	Adjunct Instructor Marshall University Department of Humanities Division of Religious Studies

PUBLICATIONS

Published Cases

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

Academic Publications

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

Joe Fincham, *Analyzing Philosophical Discourse*, In Canzhong Wu, Christian M.I.M. Matthiessen, & Maria Herke (eds.), 2008 Proc. of ISFC 35: *Voices Around the World* 371 (2008), available at <http://www.isfla.org/Systemics/Conferences/ISFC2008Proceedings.pdf#page=385>

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.

“Paradox and Sense-making in the Works of Oscar Wilde”. West Virginia University Graduate Colloquium. West Virginia University, Morgantown, West Virginia: March 2008.

COMMITTEE, COMMUNITY, ORGANIZATION POSITIONS

- 2014-2020 Western Regional Day Report Center
Cabell County, WV
Board Member

- 2014-2017 St. John's House
Huntington, WV
Board Member

- 2012 United Way of the River Cities
Huntington, WV
Campaign Ambassador

REFERENCES

Elizabeth C. Woodcock, Esq.

[Redacted]

Judge Daniel P. O'Hanlon

[Redacted]

Brent W. Walters, Esq.

[Redacted]