

Areas of Defense

DUI/DWI

Assault

Drug Possession

Armed Robbery

Murder

Gun Charges

Fraud

Sex Offenses

Conspiracy

Driving Offenses

June 25, 2010

Defendant Backs out of Plea Agreement in New Hampshire DWI and Assault Case

A man accused of first-degree assault, simple assault, and driving while intoxicated planned to plead guilty to the charges until he discovered that a sentence-review panel could increase his term if urged by prosecutors to review the case. His [New Hampshire DWI lawyer](#) said that since no guarantee could be made that his sentence would not increase, he could not recommend that the client accept the plea agreement.

Joseph Nault, 20, was charged with first-degree assault after an incident earlier this year in which he is accused of smashing a woman's face into the door frame of a car, fracturing her nose. He faces additional simple assault charges for allegedly putting the woman in a chokehold and twisting her arm behind her back. When officers pulled Nault over, they found vodka in his vehicle and charged him under [New Hampshire DWI laws](#) with driving while impaired and being a minor in possession of alcohol.

Under the proposed plea deal, prosecutors would drop the minor in possession charge and recommend a lower sentence in exchange for Nault's guilty plea in the other charges.

Joseph Nault appeared in court planning to plead guilty to the charges, which, under the agreement, would have made him eligible for a maximum prison sentence of up to four years; Nault's [NH DWI lawyer](#) planned to argue for a sentence of only six months. However, the judge in the case informed Nault that a sentence review panel could override the sentence, even beyond the four year maximum negotiated in the plea agreement. Since no guarantee could be made that Nault's sentence would not increase, Nault withheld his plea and will let the case be decided at trial. If convicted of first-degree assault, he faces a prison sentence of up to 15 years.