

THE STATE OF NEW HAMPSHIRE

COÖS, SS.

SUPERIOR COURT

The State of New Hampshire

v.

Volodymyr Zhukovskyy

214-2019-CR-78

STATE'S ASSENTED TO MOTION FOR A SCHEDULING CONFERENCE

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the New Hampshire Attorney General and of the Office of the Coös County Attorney, and states as follows:

1. Defendant currently stands indicted on seven counts of negligent homicide (class B felonies), seven counts of negligent homicide-DUI (class A felonies), seven counts of manslaughter, one count of aggravated driving while intoxicated (class B felony), and one count of reckless conduct (class B felony), following the Coos Grand Jury's return of those indictments issued at its October 18, 2019, sitting.
2. The State filed a Motion to Adopt its Proposed Scheduling Order with the Court on November 15, 2019. The defense filed a notice on January 7, 2020, assenting to the State's proposed scheduling order, and the Court granted the proposed scheduling order the same day.
3. The State and defense counsel have been working diligently to adhere to the Court's scheduling order. Nevertheless, the magnitude of discovery and the number of witnesses compel the State, with defense counsel's assent, to move the Honorable Court to set a date for a scheduling conference as soon as the Court's schedule permits.
4. The Court's scheduling order identifies November 2020 as the month in which jury selection for trial will take place.
5. Because the State anticipates subpoenaing numerous trial witnesses, the Court's ability to identify specific trial dates is imperative to fulfill proper notice and subpoena requirements. Accordingly, to the extent that a scheduling conference may be beneficial to allow for appropriate planning and trial preparation, and to discuss the feasibility of a November trial, the State moves the Court to hold such a conference.

6. Attorney Jay Q. Duguay was contacted regarding this motion and he assents to the State's motion and relief requested.

WHEREFORE, the State requests this Honorable Court:

- A. GRANT the State's Assented to Motion for a Scheduling Conference;
- B. DOCKET a date for Scheduling Conference as the Court Docket permits, either in person or via video; and,
- C. GRANT any other and further relief as may be deemed just.

Respectfully submitted,
THE STATE OF NEW HAMPSHIRE

By its attorneys,

July 30, 2020

/s/ John G. McCormick

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CERTIFICATION

I certify that this pleading has been provided to Jay Q. Duguay, Esq., and Steve Mirkin, Esq., New Hampshire Public Defender's Office, 134 Main Street, Littleton, NH 03561, through the Superior Court's electronic filing system.

July 30, 2020

/s/ John G. McCormick

John G. McCormick, Esq.