

STATE OF NEW HAMPSHIRE

Coös, SS.

Superior Court

State of New Hampshire

v.

Volodymyr Zhukovskyy

Superior Court Case: 214-2019-CR-78

Charge ID: 1636626C, 1636627C, 1636628C, 1636629C, 1636630C, 1636631C,
1636632C, 1680454C, 1680455C, 1680456C, 1680457C, 1680458C, 1680459C,
1680460C, 16804864C, 1680485C, 1680486C, 1680487C, 1680488C, 1680489C,
1680490C, 1680491C, 1680492C

STATE'S ASSENTED TO MOTION FOR A STATUS CONFERENCE

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the New Hampshire Attorney General and 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 Coös Grand Jury's return of those indictments issued at its October 18, 2019, sitting.
2. On October 15, 2020, the State filed an Assented to Motion for an Amended Scheduling Order that was granted by the Court on October 16, 2020. The amended scheduling order set jury selection for March 2021.
3. The judicial branch has cancelled jury trials in Superior Court through at least mid-January 2021. Coös County Superior Court has not held a jury trial in a criminal case for at least nine months, with the last jury trial occurring in February 2020.
4. The parties are working diligently to adhere to the schedule as established in the Court's scheduling order of October 16, 2020. Nevertheless, among other things, the number of witnesses identified as experts, the amount of discovery in the case, and restrictions associated with the pandemic have all affected the degree to which the parties have been able to make meaningful progress with regard to negotiations and pre-trial preparations in accordance with the scheduling order.
5. Furthermore, there are a multitude of logistical considerations related to the victims, victims' families, witnesses who will be traveling to Coös County from outside of state and from outside of the region, and the attendance of victims during the trial.

Granted

/s/ Peter H. Bornstein
Honorable Peter H. Bornstein
December 17, 2020

Clerk's Notice of Decision
Document Sent to Parties
on 12/17/2020

6. The parties would like to address these and other issues during a status conference, and to discuss the status of the case, along with logistical concerns related to the current state of courthouse operations in light of the pandemic.
7. As the parties are less than 90 days from the date on which jury selection is scheduled to occur, the State files this Assented to Motion for a Status Conference to discuss issues related to the anticipated jury trial.
8. Attorney Jay Q. Duguay was contacted and he assents to the State's motion for a Status Conference.

WHEREFORE, the State requests this Honorable Court:

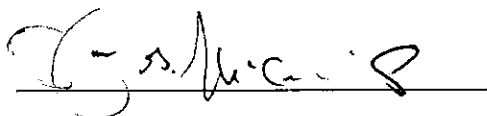
- A. **GRANT** the State's Assented to Motion for a Status Conference;
- B. **SCHEDULE** a date for Status Conference as the Court Docket permits, either in person or via video or telephone; and,
- C. **GRANT** any other and further relief as may be deemed just.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

December 14, 2020



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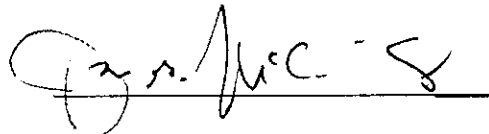
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CERTIFICATION

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.

December 14, 2020

A handwritten signature in black ink, appearing to read "John G. McCormick, Esq.", written over a horizontal line.

John G. McCormick, Esq.