

STATE OF NEW HAMPSHIRE

COÖS, SS.

OCTOBER 2021

State of New Hampshire

v.

Volodymyr Zhukovskyy

214-2019-CR-78

**STATE'S NOTICE OF ONGOING EVIDENTIARY DISCUSSIONS AND MOTION FOR
LEAVE TO PRESENT CERTAIN RELATED PRETRIAL MOTIONS BEYOND THE
MOTION *IN LIMINE* DEADLINE IF NECESSARY**

NOW COMES the State of New Hampshire, by and through the Offices of the Coös County Attorney and the Attorney General, and the State notifies the Court of the parties' ongoing efforts to reach agreements on certain evidentiary issues, and requests leave from the Honorable Court to present any related pretrial motions beyond the motion *in limine* deadline, if the parties cannot reach agreements. In support thereof, the State submits the following:

1. Jury selection is scheduled to begin on November 16, 2021. Pursuant to this Court's order on August 24, 2021, the deadline for motions *in limine* is October 22, 2021. In an attempt to preserve judicial economy, the parties have, and are continuing, to discuss reaching agreements on various evidentiary issues. Specifically, the parties are discussing agreements on the following evidentiary issues:

- a. Redactions from the defendant's interviews and corrected transcripts.
- b. Photographs the State intends to introduce at trial.
- c. Defense reciprocal discovery.
- d. Consent for an additional Cellebrite extraction of the defendant's phone, based upon recently learned information.

- e. Stipulation on victim identifications.
- f. The State obtaining and providing training record summaries for certain law enforcement officers.

Should the Court request, the State can provide more details on each of these issues.

2. In the event the parties cannot reach agreements on any of the above mentioned issues, or any part thereof, the State respectfully requests leave to present related pretrial motions beyond the motion *in limine* deadline.

WHEREFORE, the State of New Hampshire respectfully notifies this Honorable Court of the aforementioned efforts by the parties to reach agreements on those evidentiary issues and respectfully requests that this Honorable Court:

- (A) Grant the State's motion for leave to present certain related pretrial motions beyond the motion *in limine* deadline if necessary; or
- (B) Hold a hearing; and
- (B) Grant such further relief as may be deemed just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

October 22, 2021

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CERTIFICATE OF SERVICE

I certify that this pleading has been provided to counsel of record, through the Superior Court's electronic filing system.

/S/ Scott D. Chase

Scott D. Chase, Esq.