

THE STATE OF NEW HAMPSHIRE

COOS, SS.

COOS COUNTY SUPERIOR COURT

STATE OF NEW HAMPSHIRE

V.

VOLODYMYR ZHUKOVSKYY

214-19-CR-78

Supplement to Defense Motion in Limine: Evidence of Drug Use Prior to or After June 21, 2019

NOW COMES the defendant, Volodymyr Zhukovskyy, by and through counsel, Jay Duguay, Esq., and respectfully requests this Honorable Court exclude from evidence the following:

Pursuant to the Court's November 16, 2021 order, Mr. Zhukovskyy submits the following specific instances and evidence to be excluded in accord with the authority cited in the Defendant's Motion in Limine: Evidence of Drug Use Prior to or After June 21, 2019:

1. Evidence of drug use or paraphernalia allegedly located in Mr. Zhukovskyy's bedroom during his arrest.
2. Evidence that he started using when he was 18 years old.
3. Evidence of use on Saturday June 22, 2019.
4. Evidence of habitual use in the form of statements that he uses twice a day on days that he works and 2-3 times a day when he is not working.
5. Any reference to his admissions to drinking alcohol during his June 24, 2019 interview.
6. Evidence that police were told by Alesya Ivaneko that Mr. Zhulovskyy was an "avid coke user" and that she believed that he was a heroin user as well.
7. Any information obtained during the June 26, 2019 interview with Volodymyr Zhukovskyy Sr. regarding the Defendant's alleged history of drug use and or treatment.
8. Any information obtained during the June 26, 2019 interview with Anthony Rogers regarding the Defendant's alleged drug use.
8. Evidence of Mr. Zhukovskyy's arrest in Baytown TX for possession of suspected drug paraphernalia.

10. Evidence of an arrest in Ohio for possession of drug paraphernalia.

12. Statements by Mr. Zhukovskyy during his June 21, 2019 interview that he smoked marijuana less than a week ago.

13. Any evidence of drug use obtained during the interview of Jose Suarez on November 7, 2019.
Bates

Wherefore, Mr. Zhukovskyy respectfully requests this Honorable Court Grant the Motion in
Limine: Evidence of Drug Use Prior to or After June 21, 2019 with respect to the above
evidence.

Respectfully submitted,

/s/Jay Duguay
Jay Duguay, Esq.
N.H. Bar #20347
N.H. Public Defender
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CERTIFICATE OF SERVICE:

I hereby certify that a copy of this Supplement to Defense Motion in Limine to exclude evidence of Drug use prior to or after June 21, 2019 has been forwarded to the Coos County Attorney's Office on this 15 day of March, 2022.

/s/Jay Duguay
Jay Duguay, Esq.