

STATE OF NEW HAMPSHIRE  
SUPERIOR COURT

ROCKINGHAM, SS.

APRIL TERM, 2021

Granted



Honorable Marguerite L. Wageling  
April 6, 2021

State of New Hampshire

v.

BRANDON CASTIGLIONE  
218-2019-CR-1132

Clerk's Notice of Decision  
Document Sent to Parties  
on 04/07/2021

**DEFENSE'S ASSENTED-TO STRUCTURING PROPOSAL**

NOW COMES Brandon Castiglione, by and through his attorneys, Eliana Forciniti, Sydney Hanson, and Delia McCarthy, New Hampshire Public Defenders, and respectfully submits the following proposal for dates and deadlines for trial and pretrial matters in the above-captioned case.

Counsel for the State have seen the schedule set forth below and have assented to it.

The proposed structuring proposal only sets deadlines for listed events, and the parties will endeavor to file any applicable pleadings prior thereto.

- |    |   |                                |
|----|---|--------------------------------|
| 1. | Jury selection:   | February **, 2022 <sup>1</sup> |
| 2. | State to provide Discovery:   | Completed <sup>2</sup>         |
| 3. | State expert disclosure/CVs/reports:  | Completed <sup>3</sup>         |
| 4. | Major and dispositive motions, such as motions to suppress and motions to dismiss, as well as motions |                                |

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<sup>1</sup> As of the submission of this Structuring Proposal, the Court does not have jury pool days scheduled for November, 2021. Actual trial date to be set at one of the above-listed status hearings

<sup>2</sup> The State will provide additional Discovery forthwith to the defense to the extent that any is generated during the pendency of this matter.

<sup>3</sup> The State has requested follow-up DNA testing, and will provide the report associated therewith to the defense upon receipt.

- |     |  |                                   |
|-----|--|-----------------------------------|
|     | on any contested Discovery matters:                                | June 15, 2021 <sup>4</sup>        |
| 5.  | Status hearing:  | TBD, July 5-30, 2021 <sup>5</sup> |
| 6.  | Notice of defenses   | July 19, 2021                     |
| 7.  | Defense expert disclosure/CVs/ reports:                            | August 3, 2021                    |
| 8.  | Pretrial evidentiary motions, including motions <i>in limine</i> : | September 14, 2021 <sup>6</sup>   |
| 9.  | Rebuttal expert disclosure/CVs/reports:                            | October 12, 2021                  |
| 10. | Status hearing:  | TBD, November 3-31,               |
|     | 2021 <sup>7</sup>  |                                   |
| 11. | Completion by both sides of depositions of expert/lay witnesses:   | December 13, 2021                 |
| 12. | Defense reciprocal discovery:                                      | December 30, 2021                 |
| 13. | State's anticipated trial witness list:                            | January 4, 2022                   |
| 14. | Defendant's anticipated trial witness list:                        | January 18, 2022                  |
| 15. | Proposed jury instructions:  | Final pre-trial conference        |

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<sup>4</sup> The parties to provide witness lists 7 days before any scheduled evidentiary hearing on such motions.

<sup>5</sup> Date to be set as the Court's schedule permits.

<sup>6</sup> The parties to provide witness lists 7 days before any scheduled evidentiary hearing on such motions.

<sup>7</sup> Date to be set as the Court's schedule permits.

WHEREFORE, Mr. Castiglione requests that the court adopt the proposed assented to scheduling form.

Respectfully submitted,

*/s/Eliana Forciniti#*

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CERTIFICATE OF SERVICE

I do hereby certify that a copy of the foregoing motion has been forwarded to the Attorney General's Office on this 5<sup>th</sup> day of April, 2021.

*/s/Eliana Forciniti*

Eliana Forciniti