

THE STATE OF NEW HAMPSHIRE
JUDICIAL BRANCH
SUPERIOR COURT

Rockingham County

Rockingham Superior Court

State v. Brandon M. Castiglione

218-2019-CR-01132

ORDER ON STATUS CONFERENCE

On today's date, the Court met with counsel and Defendant Brandon Castiglione for a status conference. This order memorializes much of what was discussed during the hearing.

We discussed the current scheduling order (see doc. 104) and the fact that the clerk has yet to send out a scheduling notice for the trial. As a result, counsel discussed there may be a need to move the earlier proposed trial date of February 2022 to either March 2022 or June 27, 2022. Defense counsel will discuss these options with Mr. Castiglione and report back to the court no later than July 23, 2021 as to Defendant's decision. If Mr. Castiglione wishes to retain his current counsel, he will have to agree to move the trial to June 2022 and waive his speedy trial rights. If Mr. Castiglione wishes to have his trial occur earlier, new counsel will have to be appointed. The newly appointed attorney must advise the court if the attorney will be prepared for a February 7, 2022 jury selection and trial or if counsel would prefer to have the trial start on March 7, 2022 instead. The Court requests this information no later than July 30, 2021.

There are 3 motions for discovery pending. See Docs. 115, 118, 119. The State indicated its willingness to argue these motions today. The defense advised the Court that it agrees with the State's response to its motion for discovery of fingerprint evidence. See Doc. 119 and the State response at Doc. 122. Based on this information, the Court issued a margin. The defense voiced concern that Mr. Castiglione was appearing via video and that he has requested that all hearings be conducted in-person. Without engaging in a legal analysis of whether Defendant is properly afforded his due process or other constitutional rights by appearing via video, the Court agrees to schedule the two pending discovery motions (docs. 115, 118) for an in-person hearing on August 27, 2021 @11am.

Finally, the defense noted that due to the delay in receiving the fingerprint evidence, it may need to adjust its deadline relative to expert disclosure and expert deposition.

So ordered.

July 14, 2021

Date



Marguerite L. Wageling
Presiding Justice