

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
SUPERIOR COURT

Coos County

Coos Superior Court

**State v. Dustin Duren**

**214-2024-CR-00028**

FINAL PRETRIAL ORDER (ADDENDUM)

Additional rulings made as part of Final Pre-trial Order issued September 19, 2025, after Conference held on September 15, 2025:

1. Defendant's Request for Individual Voir Dire (Index #158) is DENIED, for the reasons articulated by the State on the record of the September 15, 2025, Final Pre-trial Conference. Specifically, Crim. Proc. Rule 22(c)(3) sets forth the basis upon which individual voir dire is mandatory, as opposed to being within the discretion of the trial court. Given the State's nol pros of the first-degree murder charge (Index #153), the predicate for the mandate is no longer present. Further, based upon all of the circumstances presently before the Court, the Court does not find that individual voir dire under RSA 500-A:12-a is warranted. Consistent with RSA 500-A:12-a, III, counsel can conduct "liberal and probing examination calculated to discover bias or prejudice with regard to the circumstances of the particular case" through the panel voir dire process.

2. The Court hereby GRANTS the parties' requests made during the Final Pre-trial Conference with respect to the length of panel voir dire, specifically, each side will be afforded twenty (20) minutes.

3. Per RSA 500-A:13, as informed by Crim. Proc. Rule 22(e), the Court hereby notifies the parties that it will seat four (4) alternates.

4. Per Crim. Proc. Rule 22(d), and per the Defendant's request, the Court hereby notifies the parties that each party will be afforded six (6) pre-emptory challenges.

5. By virtue of the foregoing, the Court confirms that when panel voir dire begins, there will be a total of twenty-eight (28) jurors seated for the panel voir dire process.

6. Consistent with Superior Court practice and custom, during the pre-emptory challenge process, if any party waives (or skips a turn on) any challenge at any point during the process, then to the extent that there are excess jurors seated beyond the sixteen (16) that will hear the case, the last-seated jurors will be excused in reverse order of how they were seated (i.e., "last-on, first-off" method of removal of excess jurors).

SO ORDERED.

Dated: September 19, 2025  
Clerk's Notice of Decision  
Document Sent to Parties  
on 09/19/2025

  
Hon. Jonathan S. Frizzell  
Presiding Justice