

STATE OF NEW HAMPSHIRE  
SUPERIOR COURT

COÖS, SS

OCTOBER TERM, 2024

THE STATE OF NEW HAMPSHIRE

V.

DUSTIN DUREN

Docket No. 214-2024-CR-00028

**STATE’S ASSENTED-TO STRUCTURING PROPOSAL**

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and respectfully submits the following proposal for dates and deadlines for trial and pretrial matters in the above-captioned case. Defense counsel was previously provided with a copy of this proposal, and they have advised the State that they assent to it.

- |    |  |                                |
|----|--|--------------------------------|
| 1. | Jury selection:  | July 2025, as docket permits   |
| 2. | Final Pre-trial conference and plea deadline:  | June 16, 2025                  |
| 3. | State to provide discovery:  | Completed to date <sup>1</sup> |
| 4. | Defendant’s deadline for filing notice of defenses:  | December 1, 2024               |
| 5. | Deadline for State expert disclosure/CVs/reports/<br>defendant’s criminal record:                  | January 1, 2025 <sup>2</sup>   |
| 6. | Deadline for State’s 404(b) disclosure:  | January 15, 2025               |
| 7. | Deadline for any motions to suppress, motions<br>to dismiss, and any additional discovery motions: | February 1, 2025 <sup>3</sup>  |

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<sup>1</sup> To date, the State had provided defense with approximately 1, 266 pages of written discovery, and 72 media “discs.” The State will provide any additional discovery received or generated during the pendency of this matter pursuant to the continuing obligations set forth in N.H. R. Crim. R. 12(b)(7). Such supplemental discovery could include any materials requested but not received, supplemental materials, outstanding expert reports, and/or the results of any anticipated/pending forensic testing.

<sup>2</sup> State expert disclosure may be supplemented in response to notice of defenses and/or defense expert disclosure.

<sup>3</sup> The State to provide witness lists 7 days before any scheduled evidentiary hearing on such motions, Defense to provide witness lists 5 days before any scheduled evidentiary hearing on such motions.

8. Deadline for defense expert disclosure/CVs: February 1, 2025<sup>4</sup>
9. Deadline for defense expert reports: February 1, 2025
10. Deadline for both sides to depose expert witnesses: March 15, 2025
11. Deadline for pretrial motions, including motions *in limine*: April 30, 2025<sup>5</sup>
12. Deadline for defense reciprocal discovery: May 1, 2025
13. Deadline for State's anticipated trial witness list and witness criminal records: June 1, 2025
13. Deadline for defense's anticipated trial witness list: June 11, 2025

Respectfully submitted,

John M. Formella  
Attorney General

By its attorneys,

October 2, 2024

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<sup>4</sup> To the extent that the State seeks to present expert testimony in response to any defense expert disclosure, the State to provide any expert disclosures/CVs/reports within 45 days of receipt of pertinent defense disclosures.

<sup>5</sup> Parties to provide witness lists 7 days before any scheduled evidentiary hearing on such motions, Defense to provide witness lists 5 days before any scheduled evidentiary hearing on such motions.

**CERTIFICATION**

I certify that a copy of this proposal has been provided to Hanna Kinne, Esq., and Margaret Kettles, Esq., counsel for the defendant, via the electronic filing system.

October 2, 2024

/s/ Charles O. Bucca  
Charles O. Bucca

**Approved and So Ordered. The Clerk shall set a brief WebEx Status Conference for early February, to monitor the overall status of discovery, the continued workability of the deadlines stated herein, and whether a motion hearing date should be set, depending upon what motions, if any, are filed by the 2/1/25 deadline. The date for this Status Conference shall be moved if the 2/1/25 motion deadline is moved. No motion hearing is scheduled at this time.**



Honorable Jonathan S. Frizzell

October 3, 2024

Clerk's Notice of Decision  
Document Sent to Parties  
on 10/03/2024