

STATE OF NEW HAMPSHIRE

HILLSBOROUGH COUNTY  
NORTHERN DISTRICT

SUPERIOR COURT

STATE OF NEW HAMPSHIRE

GRANTED, without  
objection.

v.

Clerk's Notice of Decision  
Document Sent to Parties  
on 02/22/2024



Honorable Amy B. Messer

February 21, 2024

ALEXANDRA ECKERSLEY

216-2022-CR-3011

MOTION TO EXCLUDE EXPERT TESTIMONY

Alexandra Eckersley, through counsel, Kimberly A. Kossick and Jordan Strand, respectfully renews her request of the Honorable Court to exclude any expert testimony offered by the State in the trial of this matter.

In support, Ms. Eckersley offers the following:

1. Ms. Eckersley is charged with reckless conduct, second degree assault, and endangering the welfare of a child.
2. This matter is scheduled for a final pretrial conference on July 10, 2024, and jury selection on July 22, 2024
3. The State first provided a witness list on or about September 18, 2023. This list contained law enforcement and AMR personnel.
4. The State filed another witness list on December 27, 2023. This list contained multiple doctors and hospital employees.
5. Defense counsel filed a motion to exclude expert testimony because the State had not disclosed any experts.
6. At the final pretrial on January 10, 2024, the Court (Messer, J.) heard competing arguments about excluding experts.
7. The result was the case being continued. The Court made a final pre-trial order giving the State a deadline of January 17, 2024 to send expert

disclosures and CVs to the defense. The Court gave the defense a deadline of January 31, 2024, to file a motion regarding the experts.

8. The defense inquired about the expert materials. The defense received an email from the State on January 20, 2024, noting that it had made a second request of the providers. As of today's writing, January 31, 2024, the defense has not received any CVs or expert disclosures.
9. Alexandra Eckersley, through counsel, renews her request of the Court to exclude expert testimony if offered by the State.

WHEREFORE, Alexandra Eckersley, through counsel, requests the  
Honorable Court:

- A. Grant this motion.
- B. Issue an order precluding the State from admitting any expert testimony.
- C. If this motion is denied, issue an order containing findings of fact and rulings of law to preserve the issue for appellate review.
- D. Grant other relief deemed equitable and just.

Respectfully submitted,

/s/ Kimberly A. Kossick  
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CERTIFICATE OF SERVICE

I certify that this motion was served via electronic filing.

/s/ Kimberly A. Kossick  
Kimberly A. Kossick



