

STATE OF NEW HAMPSHIRE

MERRIMACK, SS

SEPTEMBER TERM, 2024

STATE

V.

ERIC SWEENEY

217-2023-CR-00721

STATE'S PROPOSED AMENDED STRUCTURING ORDER

NOW COMES the State of New Hampshire, by and through its attorneys, the Office of the Attorney General, and respectfully submits the following State's proposal for dates and deadlines for trial and pretrial matters in the above-captioned case.

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|----|---|--------------------------------|
| 1. | Jury Selection | September 8, 2025 ¹ |
| 2. | Notice of defenses: | Completed |
| 3. | Pretrial evidentiary motions,
including <i>motions in limine</i> : | January 15, 2025 ² |
| 4. | Defense reciprocal discovery: | September 26, 2024 |
| 5. | Defense disclosure of expert report: | October 14, 2024 ³ |
| 6. | State rebuttal expert disclosure/CVs/reports: | December 13, 2024 ⁴ |
| 7. | Depositions deadline: | March 21, 2025 |

¹ Following defense counsel's motion and the Court's ruling from the bench on August 12, 2024.

² The parties reserve the right to file additional evidentiary motions based on any supplemental discovery that is received. The parties to provide witness lists 7 days before any scheduled evidentiary hearing on such motions.

³ The State understands that defense counsel is waiting for one additional report from an expert witness identified as Dr. William Stone. This deadline would pertain to the disclosure of Dr. Stone's final report, notes and any corresponding or related discovery.

⁴ The State provided the required notice of expert witnesses in a letter on January 10, 2024. State expert disclosures may be supplemented based on additional forensic testing, additional expert reports and in response to notice of defenses and/or defense expert disclosure. For example, the State has retained Dr. Albert Drukteinis for purposes of the defendant's insanity defense. Future anticipated expert reports and/or opinions could necessitate further expert retention and consultation.

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| 8. | State's anticipated trial witness list: | August 8, 2025 |
| 9. | Defendant's anticipated trial witness list: | August 15, 2025 |
| 10. | Non-substantive Procedural Motions
(<i>sequestration, etc.</i>): | August 29, 2025 |
| 11. | Proposed jury instructions: | Final Pretrial |

WHEREFORE, the State respectfully requests that this Honorable Court:

- A. Set a hearing; and
- B. Grant such further relief as may be just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella,
Attorney General

September 13, 2024

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CERTIFICATION

I certify that a copy of this proposal has been provided to counsel of record for the defendant, via the electronic case filing system.

September 13, 2024

/s/ Bethany Durand
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