

# State of New Hampshire

HILLSBOROUGH, SS.

HILLSBOROUGH SUPERIOR COURT  
SOUTHERN DISTRICT  
DOCKET NO.: 226-2019-CR-814

STATE

v.

DALE E. HOLLOWAY, JR.,  
Defendant


## DEFENDANT'S EXPEDITED MOTION FOR CONTINUANCE OF STATUS HEARING

NOW COMES DEFENDANT, Dale E. Holloway, Jr. (hereinafter "Defendant"), in the above-captioned matter and respectfully moves this Honorable Court to continue the Status Hearing that is scheduled for February 13, 2023, to later that day or to a further date, for the reasons hereinafter set forth.

As grounds therefor, Defendant hereby submits as follows:

1. A Status hearing in this matter is scheduled for February 13, 2023.
2. Dr. Eric Mart, the mental health expert has an evaluation of the Defendant scheduled for this same day in the morning of February 13, 2023.
3. In order to ensure that this evaluation is completed on Monday morning, counsel requests that this status hearing be continued.
4. Counsel notes that this hearing was scheduled based on a previous Order after the first criminal mediation to determine if further criminal mediation should be scheduled. See attached, **Exhibit 1**).
5. The State takes no position on this Continuance motion.
6. Defendant is now requesting this Court to reschedule the Status Hearing to a further date.
7. Defendant requests that the clerk contact the parties via email to schedule a date that will work for all parties.

**Granted-counsel only for sole purpose of scheduling a criminal mediation.**

  
Honorable Charles S. Temple  
February 10, 2023

Clerk's Notice of Decision  
Document Sent to Parties  
on 02/10/2023

8. Neither the State of New Hampshire nor the Defendant shall be prejudiced by this request.

WHEREFORE, based upon the foregoing reasons, Defendant hereby requests that this Honorable Court:

- A. Reschedule said Status Hearing, which is scheduled for February 13, 2023, to a further date;
- B. That the Clerk contact counsel for Defense and the State before scheduling a new Status hearing in this matter; and
- C. Grant any such other relief as may be proper and just.

Dated: February 10, 2023

Respectfully submitted,

Dale Holloway,  
By his Attorney,

/s/ John G. MacLachlan  
John G. MacLachlan, Esq.  
Attorney for Defendant  
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**CERTIFICATION**

I hereby certify that a copy of the foregoing pleading has this day been sent to counsel for the State via the electronic filing system.

/s/ John G. MacLachlan  
John G. MacLachlan, Esq.

**EXHIBIT 1**

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

Hillsborough County

Hillsborough Superior Court Southern District

**State v. Dale E Holloway, JR**

**226-2019-CR-00814**

MEDIATION REPORT

The parties appeared for mediation and the court met with counsel in chambers. Thereafter, the court met with counsel and the defendant on the record in the courtroom. The victims decided not to attend today's session, but provided feedback to counsel for the state. After meaningful participation in the process, the parties determined that a second mediation session would be appropriate. In the meantime, the defendant shall obtain a mental health evaluation.

Accordingly, the clerk shall schedule an in-person status conference, with the defendant to appear, within 30 days. At that time, the court will schedule a second mediation.

SO ORDERED.

December 20, 2022



Date

Judge Tina L. Nadeau

Clerk's Notice of Decision  
Document Sent to Parties  
on 12/20/2022

