

# 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 TRIAL MANAGEMENT AND HEARING

NOW COMES DEFENDANT, Dale E. Holloway, Jr. (hereinafter "Defendant"), in the above-captioned matter and respectfully moves this Honorable Court to continue the Trial Management Hearing and Trial that is scheduled for April 20, 2023, and May 1, 2023, to a further date, for the reasons hereinafter set forth.

As grounds therefor, Defendant hereby submits as follows:

1. Counsel for the Defendant has been unable to effectively coordinate a mental health examination with Mr. Holloway.
2. Dr. Eric Mart, the mental health expert, had an evaluation of the Defendant scheduled for February 13, 2023.
3. Dr. Mart was unable to complete this examination because of reasons noted in Exhibit 1 of Defendant's Motion to Continue the Criminal Mediation and stated to the court on the status hearing of March 24, 2023.
4. Counsel for the Defendant's expert witness, Dr. Mart, next available time to complete his evaluation is May 1-3, 2023.
5. Counsel for the Defendant, along with other parties, including but not limited the State's prosecution office are currently working to ensure that facility and means to conduct the

**Granted**

  
Honorable Charles S. Temple  
March 30, 2023

Clerk's Notice of Decision  
Document Sent to Parties  
on 03/30/2023

evaluation are in arranged in such a manner to adequately provide the working conditions necessary for Dr. Mart to complete his evaluation.

6. Defendant is now requesting this Court to reschedule the Trial Management Hearing and Trial that is scheduled for April 20, 2023, and May 1, 2023, 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.
8. The request to contact parties is based in-part to allow the completion of Dr. Mart's evaluation and for the State's response to any subsequent pleadings filed by Counsel for Defendant regarding the mental health examination and disclosure of expert witness.
9. 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 Trial Management Hearing and Trial that is scheduled for April 20, 2023, and May 1, 2023, to a further date;
- B. That the Clerk contact counsel for Defense and the State before scheduling a new Trial in this matter to ensure enough time is provided to allow the completion of Dr. Mart's evaluation and for the State's response to any subsequent pleadings filed by Counsel for Defendant regarding the mental health examination and disclosure of expert witness; and
- C. Grant any such other relief as may be proper and just.

Dated: March 24, 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.