

The State of New Hampshire

Hillsborough, ss.

State of New Hampshire

HSCS-OCT 6 23AM 10:52

v.

Dale E. Holloway Jr.

Motion to Depose State's Expert (Dr. Bader)

Now Comes the Defendant, Dale E. Holloway Jr., pro se, pursuant to NH R. Crim. Proc., Rule 13, under NH RSA 517:13, III, and both State and Federal Constitutions that provide or guaranteed rights of accused, who hereby moves this Honorable Court for a Deposition Hearing for the following:

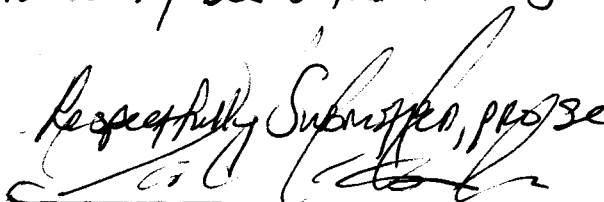
1. The Defendant was arrested on or about October 12, 2019. The State accuses Dale E. Holloway Jr. of two (2) counts of attempted murder, and other assault charges, including being a convicted felon in possession of a firearm, stemming from an alleged shooting incident at a church, in pelham.

2. The State filed a Motion to Order the Defendant to Submit to a psychiatric Examination by the State's Expert in which the Court granted, in accordance with State v. Marchand, 104 NH 26, 34 (2012) and NH RSA 135:17, and ordered Mr. Holloway to participate in the Evaluation in a meaningful and cooperative manner. Also, ordering or finding that "any statements made by Mr. Holloway in the Evaluation regarding the factual circumstances of the alleged crimes may not be used by the State at trial to prove the pending charges. The purpose of the Evaluation was to address criminal responsibility."
3. upon completion of the psychiatric Evaluation, the State's Expert provided her report, and the State intends to call her as a lay witness.
4. Therefore, Mr. Holloway seeks a fair, prompt, and orderly disposition of the criminal allegations, in which, the State may offer its plea before such Motion(s) to take depositions of the State's Expert and other potential witnesses. See State v. Sargent, 104 NH 211, 182 A.2d 607 (1962); rule 13(2).

Wherefore, the Defendant respectfully requests that this Honorable Court allows or grants this motion to Depose ~~State's Expert~~ (Dr. Broder) intended to be presented at trial; ~~and/or~~

- A.) Schedules a Hearing to be held, pursuant to NH RSA 517:13, III; and/or
- B.) Issues Summons for the State's Expert; and/or
- C.) Orders a Deposition Hearing to be held, pursuant to State v. Sargent, 104 N.H. 211 (1962).

Any other such relief the Court deems fair and just.

Respectfully Submitted, prose

Dale E. Holloway Jr. #117157
NHSP-M
P.O. Box 14
CONCORD, NH 03301

Date: October 1, 2023