

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
DOCKET NO. 226-2019-CR-00814

SUPERIOR COURT
SOUTHERN DISTRICT

STATE OF NEW HAMPSHIRE

v.


DALE HOLLOWAY

**STATE'S MOTION FOR RICHARDS HEARING AND FOR APPOINTMENT OF
COUNSEL FOR WITNESS**

NOW COMES the State of New Hampshire, by and through the Hillsborough County Attorney's Office, and moves for a Richards hearing and for a witness, R.C., to be appointed counsel to advise him whether R.C. has any privilege against self-incrimination when asked questions during the pendency of the pending matter against Dale Holloway, stating in support as follows:

1. The defendant, Dale Holloway, is charged with the following offenses in this matter: Attempted Murder, First Degree Assault, Second Degree Assault, Felon in Possession, and Simple Assault.
2. R.C. is a necessary witness in this case.
3. It is reported that R.C. drove Dale Holloway to the crime scene in Pelham, New Hampshire shortly before the time of the offenses.
4. According to the discovery in this matter, Dale Holloway had asked R.C. via a text message to drive him to Pelham, claiming in a text that he, Dale Holloway, wanted to "Pull Up On Someone No Ride Help Me If U Can (sic)"
5. Out of an abundance of caution, the State is filing this pleading because given these facts, it is possible that R.C. may require the services of an attorney to advise him whether he has any privilege under the State and Federal Constitutions against self-incrimination when he

Clerk's Notice of Decision
Document Sent to Parties
on 09/27/2023

Granted

Honorable Charles S. Temple
September 26, 2023

is asked questions concerning the facts underlying the pending charges against Dale Holloway.

N.H. CONST. pt. I, art. 15; U.S. CONST. amend. V.

6. The State is in the process of seeking immunity for Mr. Carpio to avoid any unnecessary delays in the case.

WHEREFORE, the State respectfully requests that this Honorable Court:

- A. Grant the State's Motion, and appoint an attorney to advise R.C.;
- B. Schedule a Richards hearing; and
- C. Grant the State any such other relief as may be proper and just.

DATED: September 15, 2023

Respectfully Submitted,

/s/John Harding

John Harding #4067

Assistant County Attorney

CERTIFICATION

I hereby certify that a copy of the pleading has this day been sent the defendant.

/s/John Harding

John Harding