

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

Hillsborough Superior Court Southern District  
30 Spring Street  
Nashua NH 03060

Telephone: 1-855-212-1234  
TTY/TDD Relay: (800) 735-2964  
<http://www.courts.state.nh.us>

**RETURN FROM SUPERIOR COURT – STATE PRISON SENTENCE**

Case Name: **State v. Danielle D. Dauphinais**  
Case Number: **226-2021-CR-00944**

Name: **Danielle D. Dauphinais, HCHOC 445 WILLOW ST MANCHESTER NH 03103**  
DOB: **June 12, 1986**

Charging document: Indictment

|  |             |                               |                             |   |
|--|-------------|-------------------------------|-----------------------------|---|
| <b>Offense:</b><br>2nd Degree Murder - knowing | <b>GOC:</b> | <b>Charge ID:</b><br>1968131C | <b>RSA:</b><br>630:1-b,l(a) | <b>Date of Offense:</b><br>September 27, 2020 |
|--|-------------|-------------------------------|-----------------------------|---|

Disposition: Guilty/Chargeable By: Plea

**A finding of GUILTY/CHARGEABLE is entered.**

Conviction: Felony

Sentence: see attached

October 25, 2024  
Date

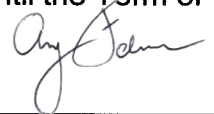
Hon. Charles S. Temple  
Presiding Justice

Amy M. Feliciano  
Clerk of Court

**MITTIMUS**

In accordance with this sentence, the Sheriff is ordered to deliver the defendant to the **New Hampshire State Prison**. Said institution is required to receive the Defendant and detain him/her until the Term of Confinement has expired or s/he is otherwise discharged by due course of law.

Attest: \_\_\_\_\_  
Clerk of Court



Amy M. Feliciano

Clerk of Court

November 22, 2024

**SHERIFF'S RETURN**

I delivered the defendant to the **New Hampshire State Prison** and gave a copy of this order to the Warden.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Sheriff

J-ONE:  State Police  DMV

C:  Dept. of Corrections  Offender Records  Sheriff  Office of Cost Containment

Prosecutor Meghan Carly Hagaman, ESQ; Bethany Jean Durand, ESQ  Defendant  Defense

Attorney Benjamin L. Falkner, ESQ

Sentence Review Board  Sex Offender Registry  Other \_\_\_\_\_  \_\_\_\_\_ Dist Div. \_\_\_\_\_

**THE STATE OF NEW HAMPSHIRE  
INDICTMENT**

HILLSBOROUGH, SS.  
SOUTHERN DISTRICT

APRIL TERM, 2022

At the Superior Court, holden at Nashua, within and for the County of Hillsborough, Southern District aforesaid, on the 15th day of April in the year of our Lord two thousand and twenty two

THE GRAND JURORS FOR THE STATE OF NEW HAMPSHIRE, upon oath, present that

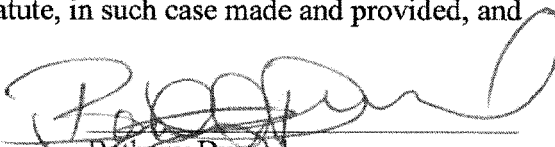
**DANIELLE DAUPHINAIS**  
DOB: 06/12/1986

formerly of Merrimack, New Hampshire, on or between September 27, 2020, through September 24, 2021, at Merrimack in the County of Hillsborough aforesaid did commit the crime of

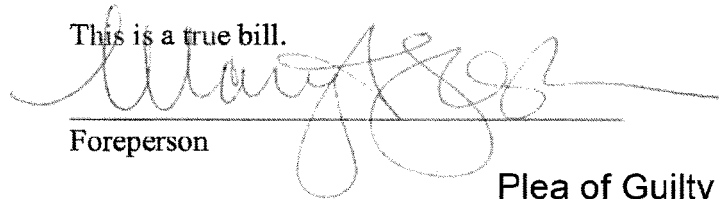
**First Degree Murder**  
(RSA 630:1-a, I(a))

in that Danielle Dauphinais did purposely cause the death of Elijah Lewis (age 5).

Said acts being contrary to the form of the Statute, in such case made and provided, and against the peace and dignity of the State.


  
Bethany Durand  
Assistant Attorney General

This is a true bill.

  
Foreperson

Plea of Guilty as amended. See  
Complaint/Indictment Amendment form.

Plea of Guilty  
Entered September 26, 2024

  
Amy M. Feliciano  
Clerk of Court

Name: Danielle Dauphinais  
DOB: 06/12/1986  
Address: \_\_\_\_\_  
RSA: 630:1-a. I(a)  
Offense level: Special Felony  
Dist/Mun Ct: N/A

THE STATE OF NEW HAMPSHIRE  
JUDICIAL BRANCH  
http://www.courts.state.nh.us

Court Name: Hillsborough Superior Court Southern District  
Case Name: State v. Danielle Dauphinais  
Case Number: 226-2021-CR-00944 Charge ID Number: 1968131C

COMPLAINT/INDICTMENT AMENDMENT FORM

- The offense degree is amended to:  
 Violation Misdemeanor  Class A  Class B  Unclassified (non-person)  
Felony  Class A  Class B  Special  Unclassified (non-person)

- The RSA name and RSA reference are amended as follows in order to make the complaint compliant with the Uniform Charge Table:

RSA name (UCT Descriptor): Second Degree Murder (knowing)

RSA: RSA 630:1-b, I(a), RSA 651:6. I(p)

- The complaint narrative is unchanged.
- Scrivener's error – amended as follows (no defense signature required):

The complaint narrative is amended as follows:  
Danielle Dauphinais did knowingly cause the death of Elijah Lewis (age 5).  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If applicable, the inchoate reference is  unchanged;  amended to read:

If applicable, the extended term is  unchanged;  amended to read:

At the time of the murder, Elijah Lewis was a person who was under 13 years of age, as he was 5 years old

09/25/2024  
Date

/s/ Bethany J. Durand  
Signature of Prosecuting Attorney

09/25/2024  
Date

/s/ Benjamin L. Falkner  
Signature of Defendant/Attorney for Defendant

**THE STATE OF NEW HAMPSHIRE**  
**JUDICIAL BRANCH**  
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Court Name: Hillsborough Superior Court Southern District   
Case Name: State of New Hampshire v. Danielle Dauphinais  
Case Number: 226-2021-CR-00944 Charge ID Number: 1968131C

**STATE PRISON SENTENCE**

|  |   |
|--|---|
| Plea/Verdict: <u>Guilty</u> <input type="checkbox"/> |   |
| Crime/VOP: <u>Murder 2 - knowing</u>                 | Date of Crime/VOP: <u>09/27/2020 - 09/24/2021</u> |

Violation of Probation - A finding of TRUE is entered.

**CONVICTION AND CONFINEMENT**

A finding of GUILTY is entered.

- A. The defendant has been convicted of Domestic Violence contrary to RSA 631:2-b or of an offense recorded as -Domestic Violence. See attached Domestic Violence Sentencing Addendum Section 2.
- B. This Conviction is for an enhanced misdemeanor AND
- 1. DOES NOT include as an element of the offense the use or attempted use of physical force or the threatened use of a deadly weapon (2717-b; 2717-14)
  - 2. DOES include as an element of the offense the use or attempted use of physical force, or the threatened use of a deadly weapon (2717-a), AND
    - 2a. there exists a qualifying domestic violence relationship between the victim and defendant. See attached Domestic Violence Sentencing Addendum-Section 1, OR
    - 2b. there is no qualifying domestic violence relationship between the victim and defendant (2717-14)
- C. The defendant is sentenced to the New Hampshire State Prison for not more than Life, nor less than 50 years

There is added to the minimum sentence a disciplinary period equal to 150 days for each year of the minimum term of the defendant's sentence, to be prorated for any part of the year.

Pretrial confinement credit: 1,103 days.

- D. This sentence is to be served as follows:
- Stand committed  Commencing 10/25/2024
  - \_\_\_\_\_ of the minimum sentence and \_\_\_\_\_ of the maximum sentence is suspended.
- Suspensions are conditioned upon good behavior and compliance with all of the terms of this order. Any suspended sentence may be imposed after a hearing at the request of the State. The suspended sentence begins today and ends \_\_\_\_\_ years from  today or  release on \_\_\_\_\_
- \_\_\_\_\_ of the sentence is deferred for a period of \_\_\_\_\_ year(s). The Court retains jurisdiction up to and after the deferred period to impose or terminate the sentence or to suspend or further defer the sentence for an additional period of \_\_\_\_\_ year(s). Thirty (30) days prior to the expiration of the deferred period, the defendant may petition the Court to show cause why the deferred commitment should not be imposed, suspended and/or further deferred. Failure to petition within the prescribed time will result in the immediate issuance of a warrant for your arrest.

- E. The sentence is  consecutive to case number and charge ID 226-2021-CR-00944 1916901C  
 concurrent with case number and charge ID \_\_\_\_\_

Case Name: State of New Hampshire v. Danielle Dauphinais

Case Number: 226-2021-CR-00944

**STATE PRISON SENTENCE**

- F. See Addendum to State Prison Sentence Sexual Offender Assessment and Treatment.
- G. See Addendum to State Prison Sentence Substance Use Disorder Assessment and Treatment.
- H. The Court recommends to the Department of Corrections:
  - Screen and/or assess for drug and alcohol treatment needs.
  - Sentence to be served at House of Corrections
  - \_\_\_\_\_

If required by statute or Department of Corrections policies and procedures, the defendant shall provide a sample for DNA analysis.

**PROBATION**

- A. The defendant is placed on probation for a period of \_\_\_\_\_ year(s), upon the usual terms of probation and any special terms of probation determined by the Probation/Parole Officer.  
Effective:  Forthwith  Upon release from \_\_\_\_\_  
The defendant is ordered to report immediately, or immediately upon release, to the nearest Probation/Parole Office.
- B. Subject to the provisions of RSA 504-A:4, III, the probation/parole officer is granted the authority to impose a jail sentence of 1 to 7 days in response to a violation of a condition of probation, not to exceed a total of 30 days during the probationary period.

**Violation of probation or any of the terms of this sentence may result in revocation of probation and imposition of any sentence within the legal limits for the underlying offense.**

**FINANCIAL OBLIGATIONS**

- A. **Fines and Fees:**  
Fine of \$ \_\_\_\_\_, plus a statutory penalty assessment of \$ 0.00 to be paid:
  - Today
  - By \_\_\_\_\_
  - Through the Correctional Facility or Department of Corrections as directed by the Probation/Parole Officer. A 10 % service charge is assessed by DOC for the collection of fines and fees, other than supervision fees.
  - \$ \_\_\_\_\_ of the fine and \$ \_\_\_\_\_ of the penalty assessment is suspended for \_\_\_\_\_ year(s).

**A \$25.00 fee is assessed in each case file when a fine is paid on a date later than sentencing.**

- B. **Restitution:**  
The defendant shall pay restitution of \$ \_\_\_\_\_ to Cap at \$40,000 RSA 21-M:8-h, V
  - Restitution shall be paid through the Correctional Facility or Department of Corrections as directed by the Probation/Parole Officer. A 17% administrative fee is assessed for the collection of restitution.
  - At the request of the defendant or the Department of Corrections, a hearing may be scheduled on the amount or method of payment of restitution.
  - Restitution is not ordered because: \_\_\_\_\_

- C. **Appointed Counsel: NOTE:** Financial Obligations, Section C is NOT a term and condition of the sentence.
  - The Court finds that the defendant has the ability to pay:  
counsel fees and expenses in the amount of \$ \_\_\_\_\_  
payable through \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ per month.
  - The Court order for repayment is suspended until the time of the defendant's release from state prison.
  - The Court finds that the defendant has no ability to pay counsel fees and expenses.

Case Name: State of New Hampshire v. Danielle Dauphinais

Case Number: 226-2021-CR-00944

**STATE PRISON SENTENCE**

**OTHER CONDITIONS**

- A. The defendant is to participate meaningfully in and complete any counseling, treatment and educational programs as directed by the correctional authority or Probation/Parole Officer.
- B. Subject to the provisions of RSA 651-A:22-a, the Department of Corrections shall have the authority to award the defendant earned time reductions against the minimum and maximum sentences for successful completion of programming while incarcerated.
- C. Under the direction of the Probation/Parole Officer, the defendant shall tour the
  - New Hampshire State Prison
  - House of Corrections
- D. The defendant shall perform \_\_\_\_\_ hours of community service and provide proof to \_\_\_\_\_ within \_\_\_\_\_ of today's date.
- E. ~~The defendant is ordered to have no contact with Timothy Lewis, the Lewis Family~~ ~~either directly or indirectly, including but not limited to contact in person, by mail, phone, email, text message, social networking sites or through third parties~~
- F. Law enforcement agencies may  destroy the evidence  return evidence to its rightful owner.
- G. The defendant and the State have waived sentence review in writing or on the record.
- H. The defendant is ordered to be of good behavior and comply with all the terms of this sentence.
- I. Other:

**(1) The defendant waives her right to seek Earned Time Credit under RSA 651-A:22-a**

**(2) The defendant may not profit in any manner from these offenses including the murder, life of Elijah Lewis or her flight from the investigation. Specifically, she shall not accept any payment, enter into any contract, or sell any rights regarding any book, film, television show, radio show, website, podcast or any other writing, recording, broadcast, or internet posting relating to the offenses, the murder or Elijah Lewis.**

For Court Use Only



Honorable Charles S. Temple  
October 25, 2024