

STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

MAY TERM, 2024

STATE OF NEW HAMPSHIRE

V.

DANIELLE DAUPHINAIS

226-2021-CR-00944

STATE'S MOTION FOR STATUS OF COUNSEL HEARING

NOW COMES the State of New Hampshire, by and through its attorney, the Office of the Attorney General, and respectfully requests that this Honorable Court schedule the above matter for a hearing as to status of counsel. In support of this position, the State responds as follows:

1. The defendant was arrested on charges related to this matter in October of 2021, and was represented by Attorney Jaye Rancourt. On April 18, 2022, the defendant was indicted for first-degree murder and related charges for killing E.L. (Age 5) in or around September of 2021 in Merrimack, New Hampshire. Attorney Benjamin Falkner was appointed as co-counsel on May 10, 2022. The defendant was arraigned on May 14, 2022.
2. On November 1, 2022, the Court granted a joint structuring proposal and scheduled trial for January 2024. In accordance with the selection of that trial date, the defendant filed a written waiver of her speedy trial rights.
3. In June of 2023, Attorney Rancourt withdrew from the case. On June 27, 2023, Attorney Tracy Scavarelli entered her appearance in this matter. On September 30, 2023, the Court granted a joint structuring order which scheduled a trial to begin on October 7, 2024.

Granted



Honorable Charles S. Temple
June 7, 2024

Clerk's Notice of Decision
Document Sent to Parties
on 06/14/2024

4. On Monday, May 20, 2024, the State heard that Attorney Scavarelli had accepted a position outside of her current practice. On May 28, 2024, Attorney Scavarelli contacted the State by email and confirmed that she would be withdrawing from the instant case and beginning her new position on or about June 14, 2024.

5. Jury selection in this matter is scheduled to begin on October 7, 2024.

6. A status of counsel hearing is necessary in order to ensure that any new attorney is appointed to the case in time for them to prepare for trial.

WHEREFORE, the Attorney General for the State of New Hampshire respectfully requests that this Honorable Court:

- A. Schedule a status of counsel hearing; and
- B. Grant such further relief as may be just and proper.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella
Attorney General

May 28, 2024

/s/ Bethany J Durand
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CERTIFICATE OF SERVICE

I certify that a copy of the foregoing was provided to counsel for the defendant through the Court's e-filing system.

May 28, 2024

/s/ Bethany J Durand
Bethany J Durand, NH Bar ID #273943
Assistant Attorney General