

**THE STATE OF NEW HAMPSHIRE  
SUPERIOR COURT**

**HILLSBOROUGH, SS.  
SOUTHERN DISTRICT**

**AUGUST TERM 2024**

**STATE OF NEW HAMPSHIRE**

**V.**

**DANIELLE DAUPHINAIS**

**226-2021-CR-0944**

**STATE'S NOTICE OF APPLICATION OF EXTENDED TERM OF IMPRISONMENT**

NOW COMES the State of New Hampshire, by and through the Office of the Attorney General, and respectfully provides the defendant with the notice required by RSA 651:6 as to the possible application of an extended term of imprisonment in connection with her charged offenses and as to any other offense she may be convicted of, after trial. The State hereby provides notice that it will seek sentences in accordance with the extended terms provision as to any convictions, including any convictions on lesser included offenses, secured after trial, as follows:

1. Should the defendant be convicted as to the charge of second-degree murder, knowing which is a lesser included offense of the first-degree murder charge, the State provides notice of the following applicable enhancements:
  - a. RSA 651:6, I(c) "Has manifested exceptional cruelty or depravity in inflicting death or serious bodily injury on the victim of the crime."
  - b. RSA 651:6, I(p) "Has committed murder as defined in RSA 630:1-b against a person under 13 years of age."
  - c. Per RSA 651:6, III(d), the penalty for murder is up to life.
  - d. Per RSA 651:6, V, if authorized by subparagraph I(p), the extended term of imprisonment includes a minimum to be fixed by the court of not less than 35 years and a maximum of life imprisonment.

2. Should the defendant be convicted of the charge of second-degree murder, reckless (Charge ID 1916901C), the State provides notice of the following applicable enhancements:
  - a. RSA 651:6, I(c) “Has manifested exceptional cruelty or depravity in inflicting death or serious bodily injury on the victim of the crime.”
  - b. RSA 651:6, I(p) “Has committed murder as defined in RSA 630:1-b against a person under 13 years of age.”
  - c. Per RSA 651:6, III(d), the penalty for murder is up to life.
  - d. Per RSA 651:6, V, if authorized by subparagraph I(p), the penalty for second-degree murder is a minimum of 35 years in prison, up to life.
3. Should the defendant be convicted of a lesser charge of manslaughter, the State provides notice of the following applicable enhancements:
  - a. RSA 651:6, I(c) “Has manifested exceptional cruelty or depravity in inflicting death or serious bodily injury on the victim of the crime.”
  - b. Per RSA 651:6, III(c), the penalty for manslaughter is 20 to 40 years in prison.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorney

John M. Formella  
Attorney General

August 21, 2024

/s/ Bethany J. Durand

Bethany J. Durand, NH Bar ID #273943  
Assistant Attorney General  
New Hampshire Attorney General’s Office  
1 Granite Place, South  
Concord, New Hampshire 03301  
(603) 271-3671

/s/ Meghan C. Hagaman

Meghan C. Hagaman, NH Bar ID# 20804  
Senior Assistant Attorney General  
New Hampshire Attorney General’s Office

**CERTIFICATE OF SERVICE**

I certify that on this day I sent a copy of the foregoing to counsel for the defendant through the Court's e-filing system.

August 21, 2024

/s/ Bethany J. Durand

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