

THE STATE OF NEW HAMPSHIRE

HILLSBOROUGH, SS.
SOUTHERN DISTRICT

SUPERIOR COURT

STATE OF NEW HAMPSHIRE

v.

DANIELLE DAUPHINAIS

226-2021-CR-00944

**STATE'S NOTICE OF INTENT TO REFERENCE DEFENDANT'S
OCTOBER 21, 2021, PROFFER STATEMENT AT SENTENCING**

NOW COMES the State of New Hampshire, by and through the Office of the Attorney General, respectfully provides notice of its intent to discuss certain statements made by the defendant during a proffer statement on October 21, 2021. In support of this notice, the State says as follows:

1. On September 26, 2024, the defendant pled guilty to one count of Second-Degree Murder and two counts of Tampering with Witnesses. The defendant's convictions all relate to her conduct involving the death of her 5-year-old child, E.L. (DOB: 01/07/2016), and subsequent actions the defendant took to conceal E.L.'s death. A sentencing hearing is scheduled for October 25, 2024.
2. On April 15, 2024, the State filed, under seal, *Motion in Limine* (#3) seeking to admit the proffer statement at trial.
3. To date, and in light of the defendant's guilty plea, there has been no ruling on the State's *Motion in Limine*. As such, the State is filing the instant Notice to ensure that the

defendant and her attorneys are aware that the State intends to discuss certain content of the proffer statement during the sentencing hearing.

Respectfully submitted,

THE STATE OF NEW HAMPSHIRE

By its attorneys,

John M. Formella
Attorney General

October 24, 2024

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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.

October 24, 2024

/s/ Bethany J. Durand
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Assistant Attorney General