

THE STATE OF NEW HAMPSHIRE

STRAFFORD, SS.

SPETEMBER TERM, 2001

SUPERIOR COURT

No. 00-S-888 – 00-S-896

No. 00-S-934 – 00-S-935

The State of New Hampshire

v.

Chad Evans

STATE'S RESPONSE TO DEFENDANT'S MOTION TO SUPPRESS

NOW COMES the State of New Hampshire, by and through its attorneys, the office of the Attorney General, and hereby respectfully submits this response to the defendant's motion to suppress: On November 9, 2000, 21-month-old Cassidy Bortner died as the result of massive trauma to the head and abdomen. On November 16, 2000, the defendant was arrested on a manslaughter charge for causing Cassidy's death. After his arrest, the defendant was transported to the Rochester Police Department. The police approached the defendant and asked him if he was willing to talk with him about the events leading to Cassidy's death. The defendant has moved to suppress any statements made by the defendant after his arrest on November 16, 2000. The State does not intend to introduce the defendant's statements made to the police on November 16, 2000, after his arrest, unless the defendant opens the door to that evidence at trial.

Respectfully submitted,

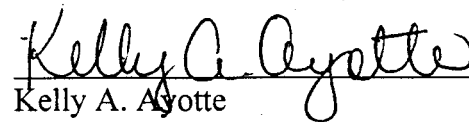
THE STATE OF NEW HAMPSHIRE

By its attorneys,

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September 26, 2001

I certify that a copy of the foregoing motion was mailed this day to Alan Cronheim, Esq., and Mark Sisti, Esq., counsel of record for the defendant.



N. William Delker