

STATE OF NORTH CAROLINA

File No.

In The General Court Of Justice
 District Court Division

STATE VERSUS

Defendant

MOTION AND ORDER TO CONTINUE

MOTION

The undersigned moves to continue the trial of these charges

From (Date)

Through (Date)

for the reasons checked below:

- Counsel has not had adequate time to prepare.
- Counsel for the defendant cannot be present at this session because:
 - The trial of other cases prevented the trial of this case during this session.
 - The trial of other cases prevented the trial of this case during this session and the continuation of this charge is occasioned by the venue being within a county where, due to the limited number of scheduled court sessions, the time limitations of G.S. 15A-701 cannot be reasonably met.
 - A hearing on pretrial motions is necessary before the case can be tried.
 - The defendant an essential witness for the State defendant is absent or unavailable within the meaning of G.S. 15A-701(b)(3).

Name Of Essential Witness, If Applicable
 - The defendant is undergoing physical or mental examination or treatment.
 - Prosecution has been deferred in accordance with G.S. 15A-701(b)(2).
 - Other (Specify):

Date

Consented To By Opposing Party

Yes No

Signature

Signature Of Opposing Party

Prosecutor Defendant Attorney For Defendant

ORDER

Considering the factors set forth in G.S. 15A-701(b)(7), the Court finds as a fact that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial and therefore grants the continuance for the reasons above. The Court orders that the following time be excluded in determining whether a trial has been held within the time limits established by G.S. 15A-701.

Time Period (From)

Date

Time Period (Through)

Signature Of Judge

Name Of Judge (Type Or Print)