IN THE DELAWARE MUNICIPAL COURT

☐State of Ohio ☐City/Village of _____

_____
Plaintiff
v.

_____
Defendant

Case No. _____
Motion for Continuance
[Filing a motion/payment of costs does not ensure approval. Parties must appear as scheduled unless continuance is granted.]

1. **Motion for Continuance.** ☐Prosecutor ☐Plaintiff/Attorney ☐Defendant/Attorney moves to reschedule the following: ☐ Arraignment ☐Community Control Violation ☐Eviction ☐Garnishment/Exemption ☐Motion ☐Nonoral Review ☐Pretrial ☐Show Cause ☐Trial–Bench ☐Trial–Jury ☐Other _____ now scheduled for: _____, 20_____, at _____ a.m./p.m. **The basis for this motion is:** _____
Date Time

_____

_____

Known conflict dates within the next 30 days: _____

A. **Hearing Conflict.** ☐ A copy of a conflicting assignment in another court is attached pursuant to Local Rule 1.06.

B. **Opposing Party.** Filer contacted opposing party/counsel who ☐ consents ☐ objects or ☐ did not respond.

C. ***Prosecutor Only* - Victim**. ☐consents ☐objects ☐was notified but did not respond ☐did not request notice.

D. ***Prosecutor Only*- Speedy Trial**. Verifies/affirms R.C. 2945.71 speedy-trial time was either waived or will be tolled per R.C. 2945.72. Currently, speedy-trial time expires_____.

2. **Certificate of Service.** I delivered a copy of this motion to opposing ☐counsel ☐party(ies) on _____, 20____, at the address of record for said person(s) in this case by ☐hand delivery; ☐ordinary mail; ☐email.

✗_____ _____
Signature of Party/Attorney (attorney SCN) Print Name

_____ _____
Phone Number Street Address

_____ _____
Email Address City, State Zip

Journal Entry / Magistrate's Order *[for Court use only]*

This motion for continuance is:

☐ **Granted**. This matter is continued to_____, at _____a.m./p.m. in Courtroom ____

☐ The motion is granted because a necessary witness for the State's case is unavailable.

☐ **Denied**. The matter shall proceed as scheduled.

☐ Party failed to provide good cause for continuance.

☐ Party failed to show conflicting hearing/trial assignment as required by local rule.

☐ Prosecutor failed to provide information regarding victim notification and/or objection.

☐ Prosecutor failed provide current expiration date for speedy-trial time.

☐ R.C. 1923.08 prohibits continuance of eviction beyond 8 days for tenants who do not post bond.

☐ Other _____

_____
Judge / Magistrate

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A copy of this entry was served on _____, 20____ by _____, Deputy Clerk on:
☐ Plaintiff Attorney/Prosecutor by: ☐ E-mail ☐ Ordinary Mail ☐ Plaintiff by: ☐ E-mail ☐ Ordinary Mail
☐ Defendant Attorney by: ☐ E-mail ☐ Ordinary Mail ☐ Defendant by: ☐ E-mail ☐ Ordinary Mail
☐ Victim / Victim Attorney ☐ Representative by: ☐ E-mail ☐ Ordinary Mail