

IN THE DELAWARE MUNICIPAL COURT, DELAWARE COUNTY, OHIO

70 North Union Street, Delaware, Ohio 43015 • Voice: 740.203.1550 • Facsimile: 740.203.1599 • www.municipalcourt.org

[ ] State of Ohio [ ] City/Village of \_\_\_\_\_

CASE NO: \_\_\_\_\_

Plaintiff(s)

vs.

**Motion for Continuance with Journal Entry**

*[Submission of this motion and payment of any fees does not ensure approval of request. Parties must appear as scheduled unless continuance is granted.]*

Defendant(s)

**1. Motion for Continuance.** Now comes [ ] Plaintiff/Attorney [ ] Prosecutor [ ] Defendant/Attorney and moves the court to reschedule the following proceeding/hearing: [ ] Arraignment [ ] Community Control Violation [ ] Eviction [ ] Garnishment/Exemption [ ] Motion [ ] Nonoral Review [ ] Pretrial [ ] Show Cause [ ] Trial-Bench [ ] Trial-Jury [ ] \_\_\_\_\_ now scheduled for \_\_\_\_\_, at \_\_\_\_\_ am / pm. The basis for this motion is \_\_\_\_\_

A. The opposing [ ] party [ ] counsel consents to this request:  \_\_\_\_\_

The undersigned [ ] did [ ] did not confer with opposing party/counsel before filing this motion.

B. [ ] Copy of conflicting hearing/trial assignment in another court is attached pursuant to Local Rule 108.

C. Prosecutor requesting continuance in criminal/traffic case verifies and affirms that speedy-trial time per RC § 2945.71:

[ ] was waived by Def. [ ] will be tolled for grounds shown per RC § 2945.72(\_\_\_\_\_\_). [ ] Expires on \_\_\_\_\_.

**2. Certificate of Service.** I delivered a copy hereof to opposing [ ] counsel [ ] party(ies) on \_\_\_\_\_, 20\_\_\_\_, at address/number of record for said person(s) in this case [ ] by hand delivery [ ] ordinary mail [ ] facsimile [ ] email.

X

Signature of Requesting Party / Attorney for Requesting Party

Print name

SCN (atty only)

Phone Number

Street Address

email address

City, State Zip

**Journal Entry / Magistrate's Order**

This motion for continuance is

[ ] Granted. This matter is continued to \_\_\_\_\_, at \_\_\_\_\_ am / pm in Courtroom \_\_\_\_\_.

[ ] Not Granted. The matter shall proceed as scheduled. \_\_\_\_\_.

[ ] R.C. § 1923.08 prohibits continuance of eviction hearing beyond 8 days for tenants who do not post bond to secure rent.

[ ] Copy of conflicting hearing/trial assignment not attached as required by local rule.

[ ] Prosecutor failed to verify speedy-trial time waived/tolled.

Judge / Magistrate

copy served \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, Dep Clerk on:

[ ] Attorney for Plaintiff / Prosecutor by EM OM Court Box [ ] Attorney for Defendant by EM OM \_\_\_\_\_

[ ] Plaintiff by EM OM \_\_\_\_\_ [ ] Defendant by EM OM \_\_\_\_\_ [ ] \_\_\_\_\_ by EM OM \_\_\_\_\_