

**IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF STANISLAUS**

Attorney:
Firm/Agency:
Mailing Address:
City, State, Zip:
Telephone No.:
Email Address:
Attorney for:

PEOPLE OF THE STATE OF CALIFORNIA]
]
vs.]
]
]
]
]
]
]
_____]

NOTICE OF MOTION TO CONTINUE HEARING

Case No.:

Department:

HEARING DATE:

1. PARTY REQUESTING CONTINUANCE

- a. Defendant
 - Public Defender
 - ADO
 - Other: _____
- b. District Attorney

2. HEARING INFORMATION

- a. Type of Hearing:
- b. Current Hearing Date and Time:
- c. No. of Previous Continuances:
- d. No. of Continuances Requested by Moving Party:
- e. Preferred Continued Hearing Date:

3. GOOD CAUSE REASONS FOR CONTINUANCE

A continuance is needed for the following reason:

- a. Sudden medical emergency (not elective medical care) or death of a party, counsel, or material witness who has been subpoenaed
- b. A party did not receive notice of the setting of a hearing or trial date through no fault of that party or that party's counsel

- c. Facts or circumstances arising or becoming apparent too late in the proceedings to be fully corrected and which, in the view of the Court, would likely cause undue hardship or possibly miscarriage of justice if the hearing or trial is required to proceed as scheduled
- d. Unanticipated absence of a material witness for either party
- e. The case was inadvertently set on a religious holiday, if the continuance request is made substantially in advance of the hearing or trial date
- f. A scheduling conflict between cases in another department. Counsel, as soon as possible must notify the judges and parties involved to resolve the conflict. Upon being advised of the conflict, the judges shall confer in an effort to resolve the conflict and in doing so may consider the following factors: the nature of the cases; whether either defendant waived their right to a speedy trial; the relative impact on the Court's calendar of a particular case proceeding as scheduled; whether either cases involves out-of-town witnesses, parties or counsel; the relative age of the cases; the matter that was first set; any priority granted by rule or statute; and any other pertinent factor:
- g. Illness or family emergency of counsel.
- h. Other:

I first became aware of the need to request a continuance of this hearing on:

4. MEMORANDUM OF POINTS AND AUTHORITIES AND DECLARATION IN SUPPORT OF MOTION TO CONTINUE HEARING

Pursuant to Local Rule 4.19, any party requesting a continuance **must** file a memorandum of points and authorities and declaration at the same time as filing this notice of motion.

5. NOTICE TO OTHER COUNSEL

- Opposing Counsel Not Notified of Motion for Continuance
- Opposing Counsel Notified and:
 - Opposing Counsel Does Not Object to Continuance
 - Opposing Counsel Objects to Continuance

Date: _____

Signature: _____