

District Court, El Paso County, Colorado El Paso County Combined Courts 270 South Tejon Street, Colorado Springs CO 80903	FILED IN THE DISTRICT AND COUNTY COURTS OF EL PASO COUNTY, COLORADO
THE PEOPLE OF THE STATE OF COLORADO, Plaintiff  v.  <b>ROBERT LEWIS DEAR,</b> Defendant	MAR 23 2016 DR. LYNETTE CORNELIUS CLERK OF COURT  ♦ COURT USE ONLY ♦
DOUGLAS K. WILSON, Colorado State Public Defender Daniel King (No. 26129) Chief Trial Deputy State Public Defender 1300 Broadway, Suite 400 Denver, Colorado 80203 Phone (303) 764-1400 Fax (303) 764-1478 E-mail: <a href="mailto:state.pubdef@coloradodefenders.us">state.pubdef@coloradodefenders.us</a>	Case No. <b>15CR5795</b>      Division 10
<p><b>D-020</b></p> <p><b>MOTION TO CONTINUE MARCH 23, 2016 HEARING</b></p>	

Mr. Dear, through counsel, respectfully moves this Court to continue the status hearing in this case set for today, Wednesday, March 23, 2016. In support of this request, he states the following:

1. There is a status hearing set in this case for today, Wednesday, March 23, 2016, at 1:30 p.m.
2. Local counsel, Ms. Roy, is out of the office this week and is unable to attend the hearing. The other two attorneys in this case, Mr. King and Ms. Nelson, are based in the Denver Metro area.
3. Early this morning, it started snowing heavily in Denver and a severe blizzard warning is in effect until 6 p.m. this evening. The Denver Metro area is expecting 6-12 inches of snow. Traction laws are in effect. Road conditions are dangerous, and visibility is limited. See [http://www.denverpost.com/weathernews/ci\\_29674648/denver-under-blizzard-warning-between-6-12-inches](http://www.denverpost.com/weathernews/ci_29674648/denver-under-blizzard-warning-between-6-12-inches). It appears that Colorado Springs is getting some snow, but is not affected as heavily as Denver.
4. Conditions are expected to worsen and are anticipated to be particularly hazardous in Douglas County and over Monument Hill. Courts and/or government offices are closed in Arapahoe and Douglas Counties and all travel through the area is being strongly discouraged.
5. Undersigned counsel are very concerned about their ability to travel safely to the courthouse under these severe weather conditions, and respectfully request that the Court continue the hearing set for today. Counsel are available tomorrow, Friday, or next week.

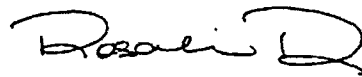
6. Staff in Colorado Springs are available to notify Mr. Dear about the new court date if the Court grants this motion.

Mr. Dear files this motion, and makes all other motions and objections in this case, whether or not specifically noted at the time of making the motion or objection, on the following grounds and authorities: the Due Process Clause, the Right to a Fair Trial by an Impartial Jury, the Rights to Counsel, Equal Protection, Confrontation, and Compulsory Process, the Rights to Remain Silent and to Appeal, and the Right to be Free from Cruel and Unusual Punishment, pursuant to the Federal and Colorado Constitutions generally, and specifically, the First, Fourth, Fifth, Sixth, Eighth, Ninth, Tenth, and Fourteenth Amendments to the United States Constitutions, and Article II, sections 3, 6, 7, 10, 11, 16, 18, 20, 23, 25 and 28 of the Colorado Constitution.



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Daniel King (No. 26129)  
Chief Trial Deputy State Public Defender



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Rosalie Roy (No. 26861)  
Deputy State Public Defender



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Kristen M. Nelson (No. 44247)  
Deputy State Public Defender

Dated: March 23, 2016

I hereby certify that on 3/23, 2016, I

mailed, via the United States Mail,  
 faxed, or  
 hand-delivered

a true and correct copy of the above and foregoing document to:

Dan May  
Donna Billek  
Jeff Lindsey  
Office of the District Attorney  
105 East Vermijo Avenue  
Colorado Springs, Colorado 80903  
Fax: 719-520-6185

