

District Court, Otero County Colorado 13 West Third Street, Rm. 207 La Junta, CO 81050	FILED IN COMBINED COURT OTERO COUNTY, COLO.  <b>JAN - 6 2016</b>  △ COURT USE ONLY △
<b>Plaintiff: PEOPLE OF THE STATE OF COLORADO</b>  vs.  <b>Defendant: JAMES ADAM PATRICK ASHBY</b>	
	Case Number: <b>2014CR217</b>  Division: A
<b>ORDER GRANTING MOTION TO CONTINUE (D-33) AND SCHEDULING ORDER</b>	

This matter comes before the court on the Defendant's Unopposed Motion to Continue Jury Trial (D-33) filed herein January 6, 2016. In the motion the defendant requests the court continue a jury trial presently scheduled in the captioned action now set to commence on January 11, 2016. The motion follows proceedings on the record on January 4, 2016 at which the issue of the continuance was discussed in detail. At that hearing the People indicated that they do not have an objection to the continuance. The People further represented the position of the victim as not being supportive of the continuance, but understanding the basis upon which it was requested. The court indicated to the parties at the January 4, 2016 hearing that it would grant the continuance if a written motion were filed with the court, and if a written waiver of the defendant's right to a speedy trial was submitted. The Waiver of Speedy Trial and Acknowledgment Duty to Appear was filed by the defendant on January 4, 2016.

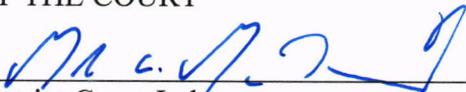
Based on the foregoing, the court does now determine that a continuance of the scheduled jury trial is appropriate and that the defendant's unopposed motion to continue is therefore granted. In accord with a discussion between the parties and the court on January 4, 2016 the court scheduled this matter to come before it next on February 26, 2016 at 1:30 p.m. for status conference. At the status conference the court shall determine the status of any and all developments related to defendant's request for disclosure of additional *Brady* material that

presently remains outstanding and constitutes the basis for the continuance of the jury trial. The court will also discuss other appropriate matters brought to the court's attention by the parties.

Finally, based on its discussion with the parties the court reschedules the jury trial to commence June 7, 2016 at 8:30 a.m. At this time the court is reserving four weeks for the conduct of the jury trial. The Court has previous matters presently scheduled all day Friday, June 17, 2016 and the afternoon of Tuesday June, 21 and, and will not be conducting proceedings on those dates and times. Other adjustments may be made as necessary.

Done and signed this 6<sup>th</sup> day of January, 2016.

BY THE COURT

  
\_\_\_\_\_  
District Court Judge