

STATE OF NORTH CAROLINA  
JUSTICE

IN THE GENERAL COURT OF

SUPERIOR COURT DIVISION

██████████

COUNTY OF MECKLENBURG )

)

STATE OF NORTH CAROLINA )

)

V

)

MOTION TO CONTINUE

)

██████████ ██████████

)

Defendant

)

NOW COMES the defendant by and through counsel and pursuant to North Carolina General Statute 15A-951 et seq. and moves the Court to continue the above-captioned criminal case. For support of this motion, defendant states the following:

1. That on September 7, 2015, Mr. ██████████ was shot five (5) times.
2. That Mr. ██████████ was shot once in his upper body.
3. That Mr. ██████████ was shot four times in his legs.
4. That several bullets entered Mr. ██████████ pelvis bone and shattered it.
5. That Mr. ██████████ underwent constructive surgery for his pelvis bone.
6. That Mr. ██████████ doctor ordered him to bed rest.
7. That Mr. ██████████ is currently under doctor orders not to travel or leave his bed rest.
8. That Mr. ██████████ is currently under several medical prescriptions which include Percocet, Oxycodone, Tramadol and other over-the-counter drugs.
9. That Mr. ██████████ has a current Carolina HealthCare System note from his doctor.
10. That this note is excusing Mr. ██████████ from activity between November 18, 2015 up to February 18, 2016. (See Attachment.)
11. That Mr. ██████████ will not be available on the next court date of December 14, 2015.

**WHEREFORE**, the defendant respectfully prays the Court for the following relief:

1. To conduct an open court and on record hearing on this motion to continue.
2. To grant the defendant's motion to continue until defense counsel can be prepared for trial.

This the 7<sup>th</sup> day of December, 2015.

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Toussaint C. Romain  
Assistant Public Defender

### **CERTIFICATE OF SERVICE**

I hereby certify that I have served the foregoing Motion on [REDACTED] Assistant District Attorney, Twenty-Sixth Judicial District, by hand delivery this the 8<sup>th</sup> day of December, 2015.

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Toussaint C. Romain  
Assistant Public Defender