

IN THE CIRCUIT COURT OF THE SEVENTH JUDICIAL
CIRCUIT, IN AND FOR VOLUSIA COUNTY FLORIDA

CASE NO.: 642013CF102888A000XX
JUDGE HUDSON

STATE OF FLORIDA,
Plaintiff

vs.

LUIS ALBERT TOLEDO,
Defendant.

MOTION TO CONTINUE WITHOUT WAIVER OF SPEEDY TRIAL

COMES NOW, the undersigned counsel and moves this Court to enter an Order continuing the above-styled cause without waiver of speedy trial, and alleges the following in support thereof:

1. That the Office of Criminal Conflict and Civil Regional Counsel was appointed to represent the Defendant in the above styled matter.
2. The above styled cause is set for Pre-Trial Conference on January 21, 2014.
3. Defendant has been in continuous custody since October 2013 and charged and arraigned in this case on or about November 18, 2013. Full discovery should have been available on or about December 3, 2013.
4. A demand was filed by this office on December 16th subsequent to the Public Defender's withdrawal. No discovery was provided at all until January 13, 2014.
5. The discovery that was provided has no detective reports, no evidence reports, no photographs, search warrants or witness statements of any kind. As of this date those disclosures have not been made.
6. It has literally been impossible for Mr. Toledo to prepare for trial through no fault of his own.
7. This motion is made in good faith, and not for purposes of delay.

WHEREFORE, the Defendant by and through undersigned counsel respectfully requests that this Honorable Court grant this Motion to Continue without waiver of speedy trial.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that the foregoing has been furnished by U.S. Mail/hand delivery/E-mail to: Office of the State Attorney, Seventh Judicial Circuit, steinmanp@sao7.org on this ____ day of January, 2014.

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