

**STATE OF NORTH CAROLINA**

File No.

Gaston County

In The General Court Of Justice  
 District Court Division

**STATE VERSUS**

Defendant

**MOTION AND ORDER TO CONTINUE**

**MOTION**

The undersigned moves to continue the trial of these charges

From (Date)

Through (Date)

for the reasons checked below:

- Counsel has not had adequate time to prepare.
- Counsel for the defendant cannot be present at this session because:
  - The trial of other cases prevented the trial of this case during this session.
  - The trial of other cases prevented the trial of this case during this session and the continuation of this charge is occasioned by the venue being within a county where, due to the limited number of scheduled court sessions, the time limitations of G.S. 15A-701 cannot be reasonably met.
  - A hearing on pretrial motions is necessary before the case can be tried.
  - The defendant  an essential witness for the  State  defendant is absent or unavailable within the meaning of G.S. 15A-701(b)(3).
 

Name Of Essential Witness, If Applicable
  - The defendant is undergoing physical or mental examination or treatment.
  - Prosecution has been deferred in accordance with G.S. 15A-701(b)(2).
  - Other (Specify):

Date

Consented To By Opposing Party

Yes  No

Signature

Signature Of Opposing Party

Prosecutor  Defendant  Attorney For Defendant

**ORDER**

Considering the factors set forth in G.S. 15A-701(b)(7), the Court finds as a fact that the ends of justice served by granting the continuance outweigh the best interests of the public and defendant in a speedy trial and therefore grants the continuance for the reasons above. The Court orders that the following time be excluded in determining whether a trial has been held within the time limits established by G.S. 15A-701.

Time Period (From)

Date

Time Period (Through)

Signature Of Judge

Name Of Judge (Type Or Print)