

ALLISTER ADEL  
MARICOPA COUNTY ATTORNEY

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Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA  
IN AND FOR THE COUNTY OF MARICOPA

THE STATE OF ARIZONA,

Plaintiff,

vs.

ARLENA M WILLES,

Defendant.

CR2019-005397-001

STATE'S MOTION TO CONTINUE

(Assigned to the Honorable Geoffrey H  
Fish, Div. CRJ26)

- Current Trial date: January 28, 2021
- Requested new Trial date: May 24, 2021
- Length of Continuance: Approximately 120 days

The State of Arizona, pursuant to Rule 8.5, Arizona Rules of Criminal Procedure, moves to continue the trial set for, with exclusion of time The State requests this continuance because of the following circumstances:

The State has tendered its preliminary trial witness list to Defense. The majority of the witnesses at trial will be medical providers, who are currently dealing with the pandemic. The trial will require extensive testimony from the medical providers, as well as require their time to prepare for trial testimony and interviews. Further, the anticipated trial length is approximately six to eight weeks, raising concerns of witness and juror availability during the pandemic and necessitating additional alternate jurors. Additionally, the defendant is out of custody, and there is a tremendous backlog of trials many of which are in custody defendants; given the current pandemic situation, the continuance is in the interests of judicial economy.

Also, to consolidate witnesses and verify the preliminary witness list sent to Defense, the State went through all medical records and realized additional documents needed to be disclosed to Defense. Over 1500 pages of additional records and radiology images were recently sent to Defense for review.

Finally, the Defense counsel stipulates to the continuance. The defendant will likely object to any continuance.

Counsel certifies that this Motion is made in good faith. Extraordinary circumstances exist and delay is indispensable to the interests of justice. The State requests time be excluded as necessary and in accordance with the existing administrative orders due to the pandemic.

Submitted January 13, 2021.

ALLISTER ADEL  
MARICOPA COUNTY ATTORNEY

BY:



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/s/ Frankie Grimsman  
Deputy County Attorney

Copy mailed/delivered January 13, 2021, to:

The Honorable Geoffrey H Fish  
Judge of the Superior Court

Rick G. Tosto  
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Attorney for Defendant

BY:



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/s/ Frankie Grimsman  
Deputy County Attorney

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