

LYCOMING COUNTY COURT OF COMMON PLEAS – CONTINUANCE REQUEST – CRIMINAL DIVISION
(Complete sections I-IV and the contact information at the bottom of this form.)

COMMONWEALTH
vs.

Defendant

:
:
Docket No. _____
:
:
:

I. Application is hereby made to continue the: (check one) Trial _____ Argument _____ Hearing _____
Conference _____ Sentencing _____ Guilty plea _____
scheduled for _____ (date) _____ (time) in Courtroom No. _____.

II. Basis for this application: _____

Party requesting continuance Attorney for moving party (if any) Today's date

III. I certify that I have contacted the other party on _____ (date) to determine the other party's position regarding this continuance. The party seeking the continuance has an ongoing obligation to continue seeking a response from the opposing party. The other party: (check one) Agrees _____ Does not agree _____

Reason: _____

Opposing Attorney

IV. The defendant has rights to a speedy trial under Rule 600 of the Rules of Criminal Procedure and the state and federal constitutions. Rule 600c(3)(a)(ii) requires the court to record to which party the period of delay caused by the continuance shall be attributed and whether the time will be included in or excluded from the computation of the time within which trial must commence. If the defendant has requested this continuance s/he acknowledges that this period of delay shall be attributed to her/him and that s/he will be waiving her/his Rule 600 and constitutional speedy trial rights during the excluded time.

Defendant/Defendant's Attorney

V. Action by the Court: AND NOW THIS _____ day of _____, 20 _____,

_____ This application for continuance is denied. _____

_____ This application for continuance is granted, and this case is continued. Counsel are hereby attached for this

proceeding on: _____.

VI. The period of delay caused by this continuance shall be attributed to the _____ (party),

and the time between the date of the continuance request to _____ (date), shall be INCLUDED/EXCLUDED (circle one) from the time within which trial must commence in accordance with Rule 600.

VII. In accordance with Rule 600(D)(3) either party may request a review of the determination in paragraph VI above by raising it in an appropriate Motion or Answer.

By The Court,

cc: _____
(Commonwealth's Attorney)

(Defendant's Attorney OR if unrepresented Defendant's name, address, and telephone number)

Hand deliver to Court Administration OR submit via email to amcdonald@lyco.org and jault@lyco.org and edgien@lyco.org.