

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

CASE NO: 2012 036059 CFAES

STATE OF FLORIDA

VS.

**MICHAEL JON MORRISON,
DEFENDANT.**

MOTION TO RESET DOCKET SOUNDING AND TRIAL

COMES NOW the State of Florida, by and through its undersigned Assistant State Attorney, and moves the Court to reset the docket sounding set for May 12th and trial set for the week of May 16th to a later date. This motion is not made for mere delay and the State of Florida would cite as reasons for the motion:

1. On April 28, 2016, the defense filed a Motion to Continue the trial that was set to begin on May 2, 2016. The State was not notified prior to the filing of motion and could not provide a position.
2. This Court granted the defense's motion to continue on April 29, 2016.
3. The State had all necessary and material witnesses available for trial the week of May 2, 2016; however, during the week of May 16th, one of the State's material witnesses, Officer Dale Kelley, is unavailable due to being out of the state.
4. Had the State been notified or had the opportunity to provide this information, we would have asked for a trial date in June or July.
5. The State asks that the docket sounding and trial be moved to a date after June 1, 2016.
6. In the alternative, the State would request a continuance of the docket sounding and trial.
7. The State notified the defense regarding the Motion and requested their position this morning but has not received a response.

R.J. LARIZZA
STATE ATTORNEY

By: s/ERICA BAXT KANE
ASSISTANT STATE ATTORNEY
Florida Bar No.: 0040650
ESERVICEVOLUSIA@SAO7.ORG

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy hereof has been furnished by mail/delivery to A MICHAEL BROSS, 997 SOUTH WICKHAM ROAD, WEST MELBOURNE, FL 32904, on May 2, 2016.

s/ERICA BAXT KANE
ASSISTANT STATE ATTORNEY
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ORDER ON STATE'S MOTION TO RESET DOCKET SOUNDING AND TRIAL

THIS DAY, the Court considered the State's Motion and being fully advised in the premises, it is hereby

ORDERED

The docket sounding is moved to _____ and the trial week is moved to _____.

OR

The case is continued to a pretrial of _____ and trial week of _____.

OR

Denied.

DONE AND ORDERED this _____ day of May, 2016, at DAYTONA BEACH IN VOLUSIA COUNTY, FLORIDA.

TERENCE R. PERKINS
CIRCUITCOURT JUDGE

Copies to:
State Attorney's Office
BROSS, A MICHAEL, Attorney for Defendant