

STATE OF LOUISIANA*PARISH OF OUACHITA*4TH DISTRICT COURT

STATE OF LOUISIANA

FILED: NOV 29 2010

VERSUS NO. 09-F-1478

PATRICK ONYEMECHARA

FILED: 
Py. Clerk

MOTION TO CONTINUE

NOW INTO COURT, through undersigned counsel, comes the defendant, PATRICK ONYEMECHARA, who respectfully moves that the trial date of November 29, 2010 should be continued, and in support shows as follows:

1.

Defendant is charged by Bill of Information with 30 counts of felony theft and racketeering. This matter is scheduled for trial November 29, 2010.

2.

Counsel for Defendant was scheduled to be in a murder trial the week of November 8, 2010. That matter pled out on the date of trial, but nevertheless required much time in pretrial preparation.

3.

As additional grounds, undersigned shows that this case is not in a trial posture in that there has been no formal answer to discovery. Informal discovery has been provided in that voluminous amounts of various and sundry documents have been provided, but as yet, no formal answer to defendant's motion for discovery has been made.

4.

What's more, defendant has filed a motion for bill of particulars to which he has received no response. Mover anticipates that the government's response to defendant's Motion for Bill of Particulars will, of necessity,

require ample time to investigate prior to trial and may require the filing of additional motions.

7.

As an additional ground, undersigned shows that he is defense counsel in the federal matter of USA vs. Kenneth Dennis, et al., presently set for trial December 13, 2010.

8.

Lastly, defendant shows that a Motion to Sever Counts has been filed, but has yet to be heard or ruled on.

9.

For all of these reasons, defendant shows that his matter should be continued. Further shows that this continuance will serve the ends of justice and outweigh the interest of the public and the defendant in a speedy trial.

10.

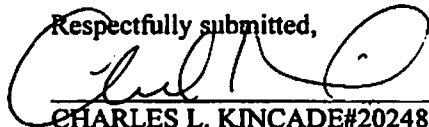
Defendant shows that neither the government nor the public would be prejudiced in any way by the granting of this motion.

11.

For all these reasons, defendant shows that good cause exists to grant this motion, and continue defendant's trial.

WHEREFORE, MOVER PRAYS that these matters be continued to a later date. Further prays for all other relief as justified in the premises.

Respectfully submitted,


CHARLES L. KINCAID#20248
ATTORNEY AT LAW
ONE WOOD STREET
MONROE, LOUISIANA 71201
(318) 388-4205

CERTIFICATE OF SERVICE

I, hereby certify that a copy of the above and foregoing Motion has been served on the Ouachita District Attorney's Office via hand delivery, to the D.A.'s box, this 9 day of November, 2010.



CHARLES L. KINCAIDE

FILED

NOV 17 2010

DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
BERNARD PARISH, LA

ORDER

Considering the above and foregoing Motion:

IT IS ORDERED THAT this motion is granted and this matter is re-
fixed to hearings 1-31-11 #4c 9:00am-trial 3-21-11 #4c 9:00a

SO ORDERED this 17th day of November, 2010,

at Monroe, Louisiana.

[Signature]

JUDGE