

STATE OF INDIANA)
)ss:
COUNTY OF CARROLL)

IN THE CARROLL CIRCUIT COURT
CAUSE NO. 08C01-2210-MR-000001

STATE OF INDIANA)
)
VS.)
)
RICHARD M. ALLEN)

MOTION FOR CONTINUANCE

Comes now Attorney, Bradley A. Rozzi, and respectfully requests that this Court continue the February 12, 2024, hearing on the Verified Information of Contemptuous Conduct filed by Prosecutor, Nicholas C. McLeland, on January 29, 2024. In support of said Motion, Counsel states as follows:

1. On January 29, 2024, Prosecutor McLeland filed a Verified Information of Contemptuous Conduct. Within said Information, Prosecutor McLeland alleged that Attorney Rozzi engaged in conduct that amounted to indirect contempt of this Court's Orders;
2. Three days later, this Court scheduled the State's Information for hearing on February 12, 2024, at 9:00 a.m. in the Allen Superior Court;
3. The February 12th hearing was scheduled by the Court without any consultation with Attorney Rozzi's Office regarding Attorney Rozzi's availability. Attorney Rozzi is scheduled to be out of the State of Indiana, on personal matters, and is therefore, unavailable to attend;
4. Because of the timing of the State's filing, Attorney Rozzi has only eleven days to prepare for said hearing;
5. Attorney Rozzi has yet to consult with an attorney as of the date of the filing of this Motion;
6. The accelerated scheduling of the hearing prohibits Attorney Rozzi and/or his future legal representative from conducting any meaningful discovery regarding the State's allegations which appear to have stemmed from a "side-investigation" into leaked photos (see paragraphs 12-25 of the contempt pleading), that was conducted by the same investigative team that investigated the crimes in this case. It seems only fair that Attorney Rozzi would be entitled to conduct discovery

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Michigan Lawyer Motion Manual

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