

IN THE COURT OF COMMON PLEAS OF FAYETTE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

v.

No(s). _____

Defendant.

MOTION FOR CONTINUANCE AND WAIVER

AND NOW, this _____ day of _____, 20____, comes the defendant, _____

_____, by and through his/her attorney, _____, and

moves this Honorable Court to continue the above-captioned case upon consideration of the following.

1. Defendant has been advised and understands that he/she has the right to a speedy trial under Rule 600 of the Pennsylvania Rules of Criminal Procedure, and that the Commonwealth has 365 days within which to bring his/her case to trial.
2. Defendant has been advised and understands that his/her case presently expires on _____.
3. Defendant has been advised that any period of time which he/she waives or which is represented by this continuance or results from this continuance will not be included in the computation of the 365 days within which the Commonwealth has to try defendant.
4. Defendant has further been advised that if he/she is incarcerated and he/she is not tried within 180 days, he/she may petition the Court to be released on nominal bond.
5. Defendant has further been advised that if he/she is incarcerated and he/she waives his/her rights or asks for a continuance, this time will not be included in the computation of the 180 days within which the Commonwealth has to try him/her, for purposes of nominal bond.
6. Defendant specifically waives the period of time which the Court continues this case due to this Motion.
7. Defendant admits that he/she has not been made any promise, nor has he/she been forced to sign this waiver.
8. Defendant admits that he/she can read and write the English language and has attended school to the _____ grade, or, in the alternative, defendant admits that he/she cannot read and/or write the English language, but that he/she has had the assistance of a person who can so read and write in completing this motion.
9. Defendant admits that he/she is not presently under the influence of alcohol or drugs.
10. Defendant admits that he/she has reviewed this *Motion for Continuance* with his/her attorney, or, in the alternative, that he/she does not wish to consult an attorney.

Signature of Defendant

Attorney for Defendant

ORDER

AND NOW, _____, 20____, upon consideration of the foregoing Motion and

Waiver, it is hereby ordered and decreed that a continuance of the above-styled matter, to the _____

week of Criminal Jury Trials which ends on _____, 20____, is hereby granted.

ATTEST:

BY THE COURT: