

21-1-00117-34  
MTC 25  
Motion to Continue  
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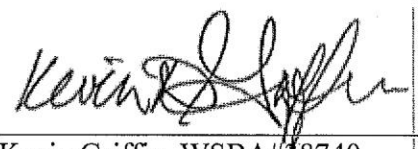
E-FILED  
THURSTON COUNTY, WA  
SUPERIOR COURT  
09/08/2021 4:24:16 PM  
Linda Myhre Enlow  
Thurston County Clerk

<i>IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF THURSTON</i>	
STATE OF WASHINGTON, Plaintiff,  v.  CRISTHIAN VALENCIA, Defendant.	NO. 21-1-00117-34  DEFENSE MOTION TO CONTINUE TRIAL

MOTION

COMES NOW, the Defendant, through counsel, and respectfully moves the Court for an order continuing the trial date in this case. This motion is supported by Wash. CrR 3.3 and the attached Certificate of Counsel.

Dated this 8<sup>th</sup> day of September, 2021.




Kevin Griffin, WSBA#38740  
Lawyer for Mr. Valencia

Certificate of Counsel

I, Kevin Griffin, am over the age of eighteen and competent to testify in a court of law in the state of Washington. I certify the following to the Court based on information and belief:

- 1.) I am appointed to represent the Defendant in the above captioned matter. I filed a Notice of Appearance on March 11, 2021.
- 2.) Mr. Valencia is accused of one count of Delivery of a Controlled Substance. It appears that Mr. Valencia faces a standard range sentence of 20 – 60 months in prison, if convicted as charged.
- 3.) Mr. Valencia and I have worked well together and are hoping to reach a reasonable plea agreement. In order to properly advise this gentleman, I need to be able to review all of the discovery with him and discuss each piece of potential evidence. I received notice of a significant amount of discovery available to my office from the prosecutor's office within the past five days. The discovery appears to include a complete catalogue of evidence collected from my client's phone. Reviewing this evidence will require time, likely several hours.
- 4.) Trial is currently scheduled for September 20, 2021. I am unable to be properly prepared for trial in this case on that date because I just received this evidence. I have not yet been able to find time to discuss this evidence in any meaningful way with my client. Carefully reviewing this evidence and considering it with my client is necessary in order to provide effective assistance to Mr. Valencia, as guaranteed to him by the Sixth Amendment to the United States Constitution.
- 5.) I have discussed this recently received evidence with the counsel for the co-defendant, Mr. Charles Lane. It appears that Mr. Lane is in a similar situation, having also just received this evidence. I anticipate he will be making a similar request of the Court.
- 6.) I am asking the Court to continue trial in this case to October 18, 2021, so that I can complete the work outlined above. I am asking the Court to schedule a trial confirmation hearing for October 7, 2021, at 10:30am.
- 7.) I offer this motion in good faith, believing the law supports my request for a continuance of trial.

Respectfully submitted this 8<sup>th</sup> day of September, 2021 at Olympia, Washington.

  
Kevin Griffin, WSBA #38740  
Lawyer for Mr. Cristhian Valencia