

1 **LAW OFFICE OF GREGORY T. PARZYCH**

2 Gregory T. Parzych, Bar ID. 014588
2340 West Ray Road, Suite 3
3 Chandler, Arizona 85224
Telephone (480) 831-0200
4 Attorney for the Defendant
gparzlaw@aol.com

E-FILED
DATE AND TIME:
10/13/2020 10:47 AM
VALERIE WYANT, CLERK
BY: KD, Deputy

5 SUPERIOR COURT OF ARIZONA

6 COCONINO COUNTY

7 STATE OF ARIZONA

8 Plaintiff,

9 vs.

10 TIMOTHY MAX DURAN

11 Defendant.

) CR 2019-00338

) MOTION TO CONTINUE

12
13 COMES NOW the defendant, by and through his attorney undersigned, and
14 respectfully moves this Court, pursuant to Rule 8, Arizona Rules of Criminal
15 Procedure, to continue the current jury trial of January 5, 2021;

16 AS GROUNDS THEREFORE, defense counsel submits that in-person
17 interviews, due to the current restrictions in place due to the coronavirus pandemic,
18 have not taken place. Over twenty telephonic interviews have already taken place,
19 and dates and times of availability of defense counsel have been given to the state
20 for in-person interviews over the next few months.

21 Defense counsel has another First Degree Murder trial currently set to begin
22 November 3, 2020 in Maricopa County in *State of Arizona vs. Jesse Dakins*, CR
23 2018-144446-001. Mr. Dakins is in-custody. The allegations in Mr. Dakins’
24 case stem from events which occurred on May 12, 2018. The allegations in Mr.
25 Duran’s matter are alleged to have occurred On March 21, 2019.

26 Counsel has spoken with the Assistant Deputy County Attorney Stacy
27 Krueger regarding a realistic trial date. Both counsel have numerous trials that
28

1 have been rescheduled due to Covid 19. Both counsel agree that a realistic trial
2 date in this matter would be sometime in August of 2021 depending on the Court's
3 availability.

4 The defendant will waive time. Defense counsel certifies that this Motion
5 is made in good faith and not for the sole purpose of delay.

6 Respectfully submitted this 13 day of October, 2020.

7

8

9

10

By /S/ Gregory T. Parzych
Gregory T. Parzych

11

Original of the foregoing Pleading
12 mailed/hand-delivered this 13 day
of October, 2020, to:

13

Clerk of Superior Court – Coconino County
200 N. San Francisco Street
14 Flagstaff, AZ 86001

15

Copy of the foregoing Pleading
16 e-mailed this 13 day
of October, 2020, to:

17

The Honorable Dan Slayton

18

Stacy L. Krueger
DEPUTY COUNTY ATTORNEY

19

20

Robert Swinford
Arizona Voice for Crime Victims

21

22

23

24

25

26

27

28