{{p include\_docx\_template('include\_caption.docx',caption\_title = "Defendant’s Motion to Continue") }}

The Defendant requests the Court continue this case to a future date convenient for the Court. In support, Defendant states:

* 1. The first hearing of this case is on {{ original\_hearing\_date }} at {% if original\_hearing\_time == “Other” %}{{ other\_time }}{% else %}{{ original\_hearing\_time }}{% endif %}{% if defined('trial\_court.division') %} in {{ trial\_court.division }}{% endif %}.
  2. Defendant requests a continuance of this case to another date.
  3. This request for continuance is made on or before the first hearing of the case. Associate circuit rules require this Court grant a continuance as of right “upon the request of any party made on or before the return date of the summons.” RSMo. §517.071.1 (emphasis added).
  4. A Court’s failure to grant a party’s request for continuance prior to or on the date of the return date is reversible error. See Darby v. Mason, 568 S.W.3d 35, 37 (Mo. Ct. App. 2019) (citing Boehm v. Allen, 524 S.W.3d 542, 544 (Mo. Ct. App. 2017).

For these reasons, the Defendant requests the Court continue the case to a future date convenient for the Court, and requests any further relief the Court deems proper.

{{p include\_docx\_template('include\_signature.docx', certificate\_of\_service\_type =”short”) }}