

**QUESTION 13 THE ANSWER TO THIS QUESTION SHOULD GO IN BLUEBOOK
V OR IN EXAMPLIFY ANSWER SCREEN 13**

Dwayne was charged with a crime in January 2019 for a car accident that happened in Michigan in December 2015. Dwayne complains that it is too old to go to trial. On the night of the accident, Dwayne, his cousin Al, and friend Tom, ate dinner and drank a lot of alcohol at a sports bar while watching a basketball game. When the game was over, Dwayne was driving Al and Tom home and hit a car stopped at a stop light. Tom broke his leg in the accident.

Dwayne's blood was drawn that night at the hospital, but at that time he was not charged with any offense. Dwayne immediately went back to college out of state. Dwayne stayed at college until he graduated in December 2018 and then returned to Michigan.

In January 2019, Dwayne was arrested on an outstanding warrant for the charge of OUIL causing serious incapacitating injury. The warrant was issued in July 2016. Trial is set for September 2019.

Dwayne complains the case is too old to have a trial because it has been almost four years since the accident and three years since the warrant was issued. Dwayne further states the car he was driving is sold and gone; neither Al nor Tom can remember the accident; Dwayne cannot remember much about that night; Dwayne does not know if he has any witnesses from the scene or the bar; and the people who drew Dwayne's blood are gone.

1. **What are the factors for a speedy trial?**
2. **When does the clock start?**
3. **Apply the law to the facts and decide whether Dwayne's right has been violated.**

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