

IN THE COURT OF COMMON PLEAS
TRUMBULL COUNTY, OHIO

STATE OF OHIO

PLAINTIFF

VS.

ANTHONY CIOFFI, JR.

DEFENDANT

) CASE NO. 96 CR 599

)

) JUDGE MITCHELL SHAKER

)

) MOTION FOR CONTINUANCE OF

) TRIAL

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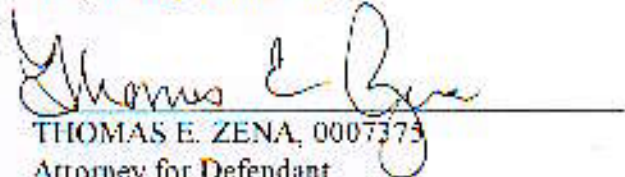
The defendant is going to submit to a trial on December 3rd, 1996 with current counsel in the Court of Judge Stuard known as State of Ohio v. Anthony Cioffi, Jr., which makes it impossible for the defendant to properly prepare for a trial of this action to occur on or about December 9th, 1996.

Further, new information has been provided to counsel for the defendant received by the prosecuting attorney on or about October 2nd and October 22nd, 1996 respectively. This information was received by defendant on November 26th, one month and six weeks respectively after it was received by the prosecuting attorney. This information was subject to the Motion for Discovery and is critical to the preparation of the defense. This information goes to the very basis of the truthfulness of the allegations. This requires a continuance particularly in light of the fact that the allegations set forth in the indictment do not set forth a specific date of events.

This defendant cannot properly defend himself based upon the status of this indictment.

As an additional alternative the defendant request separate trials on each Count set forth in said indictment to avoid the prejudicial joinder of the allegations as they are now written.

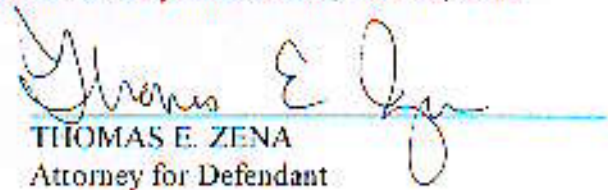
Respectfully submitted,



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SERVICES

A copy of the foregoing has been forwarded to the Honorable Mitchell F. Shaker and Thomas Wrenn, Prosecuting Attorney, Trumbull County Courthouse, Warren, Ohio.



THOMAS E. ZENA
Attorney for Defendant