

SUPERIOR COURT OF THE STATE OF CALIFORNIA, COUNTY OF SIERRA 100 Courthouse Square, 2nd Floor P.O. Box 476 Downieville, CA 95936 (530) 289-3698	FOR COURT USE ONLY
People of the State of California vs.	
REQUEST FOR POSTPONEMENT OF TRAFFIC COURT TRIAL	CASE NUMBER:

Instructions: This Request for Postponement of Traffic Court Trial **must** be filed in the appropriate branch of the Superior Court at least **15 DAYS** prior to the court trial hearing date. If this request is not filed timely, it may be denied.

A copy of this Request for Postponement **must** be served on the Opposing Party to notify them of your request. A Declaration of Service on opposing party, found on the reverse of this form, **must** be completed or the request will be denied.

The undersigned hereby declares that they are unable to appear at the scheduled Traffic Court Trial for the following reason:

IMPORTANT NOTE: COPIES OF SUPPORTING DOCUMENTS MUST BE INCLUDED WITH THIS REQUEST (plane ticket, doctor’s note, etc.) **A CONTINUANCE WILL NOT BE GRANTED WITHOUT A SHOWING OF GOOD CAUSE.**

Date(s) I’m **unavailable** are:

I hereby waive time for trial or continue to waive time for trial if waiver is already entered. I have noticed the Opposing Party of this request; Proof of Service is attached.

Court will consider this ex-parte application at the expiration of seven days following service by mail. In the absence of opposition the Court will consider the application as unopposed. No continuance will be granted except upon a showing of good cause.

I declare, under penalty of perjury, under the Laws of the State of California, that the above representations are true and correct.

Date: _____ Signature: _____

HOW TO OBJECT TO POSTPONEMENT REQUEST: If you received this form, the other party has requested a postponement of the trial in your case. If you object to this postponement you have **7 DAYS** from the date of service to file an objection with the Court. If you fail to do so, the Court will make a decision on the request for postponement without your input. If you do not wish to object, then there is no need to file anything with the Court. The Court will notify you of the new court date, if a continuance is granted. If you do not object to this continuance, but there are certain dates you will not be available for trial in the next two months, please notify the Court by phone or in writing of those dates as soon as possible.

Declaration of Service by Mail

I declare that I am over eighteen years of age and I am not a party to the action; That on _____, I served a copy of the Request for Postponement of Traffic Court Trial by depositing a copy in a sealed envelope with postage thereon fully prepaid, in the United States Postal Service mail box at the City of _____, California, addressed to the Opposing Party in this matter as follows:

Defendant: _____ Law Enforcement Officer
Address: _____ Address:

I certify (or declare) under penalty of perjury that the foregoing is true and correct. Executed on _____ at _____, California. Signature: _____

FOR COURT USE ONLY

Objection of Opposing Party was received on _____ and has been considered.
Opposing Party failed to file a timely objection.

ORDER OF THE COURT:

It is so ordered that the request for continuance of the traffic court trial is:

Granted: The new trial date is _____ at _____.

The Court finds Good Cause to re-set the trial more than 45 days beyond the arraignment date.

Denied: _____.

Date: _____

Judge of the Superior Court