

<b>ATTORNEY OR PARTY WITHOUT ATTORNEY (Name, Address and Telephone):</b>  Telephone No.: E-Mail Address (Optional): Attorney For (Name): _____ Bar No.: _____	<b>Court Use Only</b>
<b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE</b> JUSTICE CENTER: <input type="checkbox"/> Central – 700 Civic Center Drive West, Santa Ana, CA 92701-4045 <input type="checkbox"/> Harbor – 4601 Jamboree Road, Newport Beach, CA 92660-2595 <input type="checkbox"/> North – 1275 North Berkeley Avenue, Fullerton, CA 92832-1258 <input type="checkbox"/> West – 8141 13 <sup>th</sup> Street, Westminster, CA 92683-4593	
PEOPLE OF THE STATE OF CALIFORNIA vs. DEFENDANT: _____	
<b>DEFENDANT'S REQUEST FOR POSTPONEMENT OF TRAFFIC COURT TRIAL</b>	Case Number: _____

**Instructions to Defendant:** This Request for Postponement of Traffic Court Trial form must be personally served upon the prosecuting agency and filed at least **2 COURT DAYS** prior to the court trial hearing date or it must be served upon the prosecuting agency by mail and filed at least **7 CALENDAR DAYS** prior to the court trial hearing date. If this request is not filed or served timely, it may be denied. A copy of this Request for Postponement form must be served on the prosecuting agency or the request will be denied. Proof of service must be attached at the time of filing. If you provided the court with an e-mail address, you will be notified of the court's decision via e-mail.

The undersigned hereby declares that they are unable to appear at the scheduled Traffic Court Trial on: \_\_\_\_\_  
 for the following reasons: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

My preferred date(s) for the Traffic Court Trial in this matter: \_\_\_\_\_  
 Date(s) I am unavailable: \_\_\_\_\_

**Note:** Court trials are set at 1:30 p.m. on specific days of the week. The court trial will likely be set on the same day of the week that it is currently set. The court will consider your request for a preferred date. That date may not be available and the trial may have to be postponed to a date you have indicated you are unavailable or later than your requested date(s).

**RIGHT TO SPEEDY TRIAL:** Please be advised that pursuant to California Penal Code § 1382, you have a right to a speedy trial, meaning that your trial must begin within 45 days after your arraignment. If your trial does not begin within that time period, and good cause for the delay is not shown, then the court must order your case dismissed. If you are requesting a trial date beyond the 45-day limit, you will be giving up your right to a speedy trial. Your request for postponement may be denied due to time restraints within the 45-day period if you do not agree to give up your right to a speedy trial.

☐ I expressly waive my right to a speedy trial.

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

Date: \_\_\_\_\_ Signature: \_\_\_\_\_  
 (DEFENDANT)

**PROOF OF SERVICE**

1. Person serving: I am over the age of 18 and not a party to this action.

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

2. I served a copy of the Defendant's Request for Postponement of Traffic Court Trial as follows:

**Service by Mail:** I deposited the Defendant's Request for Postponement of Traffic Court Trial in the United States mail, in a sealed envelope with postage fully prepaid. The envelope was addressed as follows:

(1) Name of person served: \_\_\_\_\_

(2) Address: \_\_\_\_\_

(3) Date of mailing: \_\_\_\_\_

(4) Place of mailing (city and state): \_\_\_\_\_

I declare, under penalty of perjury, under the laws of the State of California that the foregoing is true and correct.

Date: \_\_\_\_\_

\_\_\_\_\_  
(TYPE OR PRINT NAME)

\_\_\_\_\_  
(SIGNATURE OF DECLARANT)

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**FOR COURT USE ONLY**

☐ Defendant's request was received on \_\_\_\_\_ and has been considered.

☐ Defendant failed to file a timely request.

☐ Defendant failed to timely serve the request.

☐ No proof of service.

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

☐ The Court finds good cause to re-set the trial more than 45 days beyond the arraignment date.

The new trial date is \_\_\_\_\_ at \_\_\_\_\_

☐ Denied, date to remain.

Date: \_\_\_\_\_

\_\_\_\_\_  
(JUDICIAL OFFICER)