

IN THE CIRCUIT COURT OF _____ COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VERSUS

CAUSE NO. _____

AGREED ORDER TO RECALL AND/OR CONTINUE

1. On the Motion of the ☐ Court, ☐ State, ☐ Defendant, a Recall or Continuance Date is granted in this case for the following reason(s):

- ☐ Assigned Judge engaged in Trial
- ☐ Assigned prosecutor was not available
- ☐ Assigned prosecutor was not ready
- ☐ Prosecution witness was not available
- ☐ Lab report was not available
- ☐ Defense counsel was not available
- ☐ Defense counsel was not ready
- ☐ Late substitution of defense counsel
- ☐ Defendant was not present
- ☐ Competency or Psychiatric evaluation of Defendant is necessary
- ☐ Discovery is not completed
- ☐ Case is set for Recall (Specify reason for continuance below)
- ☐ Other: (Specify reason for continuance below)

2. ☐ Yes ☐ No Defendant waives speedy trial rights or objections from this date until the trial resetting and/or recall date.

3. After consulting with his or her attorney, the Defendant voluntarily, knowingly, and intelligently waives his or her right to be present at all stages of trial, except for sentencing, if he or she does not appear in court on the date of trial. M.R.Cr.P. 10.1(b)(1), M.C.A. 99-17-9.

4. This order **MUST** be signed by the Defendant and his or her attorney.

PROSECUTING ATTORNEY_____
DEFENSE ATTORNEY**ORDER**_____
DEFENDANT

This matter came before the Court on the Motion of the ☐ Court, ☐ State, ☐ Defendant, and upon due consideration the Court finds good cause exists for the delay and the Court hereby grants a Trial continuance and/or Recall date.

The Court further Orders that this case is reset to the date of _____, 20____, at 9:00 A.M. for the purpose of Recall at the location of _____. The case is reset for _____, 20____, at 9:00 a.m. at the above courthouse for Trial.

SO ORDERED AND ADJUDGED on this the ____ day of _____, 20____.

CIRCUIT COURT JUDGE