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| NORTH CAROLINA | FILE NO(S): XXXXXXXXXXX | | |
| GUILFORD COUNTY |  | | |
| Greensboro Division | IN THE GENERAL COURT OF JUSTICE  SUPERIOR COURT DIVISION | | |
| THE STATE OF NORTH CAROLINA    Vs.  XXXXXXXXXXXXXXXX,  Defendant. | | )  )  )  )  )  ))) | **MOTION FOR A DEFINITE**  **TRIAL DATE** |

NOW COMES THE DEFENDANT, by and through undersigned counsel, requests that the District Attorney calendar the above-captioned cases for a hearing, pursuant to North Carolina General Statute § 7A-49.4(c), on the Defendant’s request for a Definite Trial Date. The statutory requirement that more than 120 days from the date of indictment has been satisfied. Defendant has requested a trial prior to the filing of this motion and the date of filing of this motion should not be considered the earliest date of “timeliness of asserting the right” to a speedy trial as required under the factors set forth in *Barker v. Wingo*, 407 U.S. 514 (1972) and the Sixth Amendment of the United States Constitution.

This the \_\_\_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

XXXXXXXXXX, Attorney for Defendant

ADDRESS

\* \* \* \* \*

***Certificate of Service***

I, ATTORNEY NAME, certify that on the date indicated herein, a copy of this motion was served on the office of the District Attorney for the 18th Judicial District by hand delivery to said office in the Guilford County Courthouse, Greensboro, NC on the date indicated below.

This the \_\_\_\_\_\_ of \_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

XXXXXXXXXX, Attorney for Defendant

ADDRESS