

STATE OF WISCONSIN

CIRCUIT COURT BROWN COUNTY
BRANCH VII

STATE OF WISCONSIN.

Plaintiff.

-VS-

LOU ARCHIE GRIFFIN.

Defendant.

Case No. 2020CF001704

DEFENDANT'S MOTION TO ADJOURN JURY TRIAL

The defendant, by and through the undersigned attorney, hereby moves the Court to adjourn the jury trial which is currently scheduled for jury selection on July 8, 2022, and the trial proper starting July 11, 2022. A pretrial is scheduled for June 28, 2022.

As grounds for this motion, the defendant asserts that in response to the Defense Motion to Compel Discovery filed 3/2/2022, on 3/8/2022 the State did make available additional discovery, which was a single large PDF file (400 megabytes) that contained 1,053 pages of hard copy materials that were scanned in seemingly random order. As the State noted at the end of the recent Other Acts Motion Hearing, the old discovery materials have been through multiple “records management system changes at the Green Bay PD … they’re very large PDFs that are not searchable or usable.” (Hearing Transcript p. 23, lines 13-16).

The defense has been diligently organizing, cataloguing, and reviewing these voluminous materials, in preparation for defense investigation and potential pre-trial motions (*e.g., Denny*). But the task is arduous, and with the jury trial 78 days away, and defense motions are not even yet scheduled on the Court's very busy calendar. An evidentiary hearing on a ***Miranda*** motion could take well more time than a purely legal argument like the Other Acts motion.

Thus, without an adjournment of the jury trial for July, the defense cannot feasibly provide Mr. Griffin his constitutionally guaranteed right to effective assistance of counsel, especially for a First-Degree Intentional Homicide charge. Also of note, this is the first defense motion for adjourning a scheduled jury trial, and this motion is not a surprise to the State; the defense has been communicating with the District Attorney's Office.

Cognizant of and sensitive to the rights both of Mr. Griffin and to the decedent's family under Marsy's Law, the defense respectfully requests a scheduling conference as soon as possible on the Court's calendar (by Zoom, if more convenient to all parties).

Dated: April 21, 2022

Electronically signed by Atty. Peter R. Heyne

Peter R. Heyne
State Bar No. 1079303
Assistant State Public Defender
139 South Washington Street
Green Bay, WI 54301
P: 920-448-5433
F: 920-448-5450